

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH.

234

CWP-15988-2021 (O&M).
Date of Decision: 20.02.2024.

SURINDER SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: None for the petitioner.

Ms. Niharika Sharma, AAG, Punjab,
for respondents No.1 to 4 and 7 to 9.

Mr. Manpreet Singh Longia, Advocate,
for respondents No.5 and 6.

Mr. Vishal Sharma, Advocate,
for respondents No.10 and 11.

Mr. Naveen Batra, Advocate,
for respondent No.12.

VINOD S. BHARDWAJ, J. (ORAL)

Prayer in the present writ petition was for seeking directions to the respondents to take necessary action on the legal notice dated 29.09.2020 (Annexure P-1) submitted by the petitioner to remove illegal encroachments at Jhajj Chowk, Tehsil Sri Anandpur Sahib, District Roopnagar, allegedly done by the private respondents.

Short reply on behalf of respondents No.5 and 6 by way of affidavit of Harinderjit Singh, Additional Superintendent Engineer, Operation Division, PSPCL, Sri Anandpur Sahib, District Rupnagar has been filed today in the Court. The same is taken on record.

Learned State counsel contends that action has already been taken by the Forest Department and complaints against encroachers have already been filed before the Judicial Magistrate First Class who is competent to take cognizance thereof and the same are pending. She submits that in view of the above action taken, the present writ petition has been rendered infructuous.

In so far as the prayer made in the present writ petition for seeking removal of the encroachments is concerned, the respondents are silent as regards the action required to be taken against the concerned forest officials who committed dereliction of duty in failing to ensure that there is no encroachment on the Forest land.

The present writ petition is disposed of as having been rendered infructuous at this stage.

So far as the prayer of the petitioner regarding removal of encroachment is concerned, it is directed that the Principal Secretary, Department of Forest, Conservation and Wildlife shall take appropriate action against the erring officials who committed lapse in failing to protect the forest land from the encroachments.

February 20, 2024
raj arora

(VINOD S. BHARDWAJ
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No