



(116)

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP-PIL-167-2024 (O&M)

Date of decision:- 14.08.2024

Umesh Aggarwal

...Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: **HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE**
HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Sachin Mittal, Advocate,
 Mr. Parth Sharma, Advocate,
 for the petitioner.

Mr. Deepak Balyan, Additional Advocate General, Haryana.

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SHEEL NAGU, C.J. (ORAL)

1. This petition has been filed in shape of Public Interest Litigation raising the alleged public cause that encroachment has taken place on government land which is housing the Old Mewat Model School. It is alleged that respondent No. 6 has caused the said encroachment.

2. On a complaint made by the petitioner, respondent No. 2, namely, Municipal Committee, Punhana, District Nuh, Haryana, issued notice dated 28.07.2023 under Section 181 of Haryana Municipal Committee, Act, 1973 (Annexure P-10) and notice dated 18.09.2023 under Section 208-A of Haryana Municipal Act, 1973 (Annexure P-11) to respondent No. 6.

3. However, it is contended that the aforesaid notices have not been brought to their logical end and are still pending before respondent No. 2. It is also contended that inaction on the part of the concerned authority has led to emboldening the hopes and aspirations of respondent No. 6.



4. Be that as it may, this Court without entering into the merits of the matter is of the view that since the issue is pending consideration before respondent No. 2, it would be appropriate to direct the said respondent to take a final call.
5. The petition, therefore, is disposed of with a direction to respondent No. 2 to consider and decide the proceedings commenced vide notices dated 28.07.2023 (Annexure P-10) and 18.09.2023 (Annexure P-11) respectively and pass speaking order within a period of 30 days from the date of receipt/production of copy of this order.
6. This Court hastens to add that no comments on the merits of the matter have been made and thus the respondent No. 2 is free to decide the matter either way.

(SHEEL NAGU)
CHIEF JUSTICE

(ANIL KSHETARPAL)
JUDGE

14.08.2024
Amodh Sharma

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