

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2024:PHHC:074337-DB



(108)

CWP-12585-2024
Decided on : 24.05.2024

Pratibha Verma and others

.....Appellant(s)

Versus

Chief Administrator, Haryana Shehri Vikas Pradhikaran (HSVP) and others

.....Respondent(s)

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA,
ACTING CHIEF JUSTICE
HON'BLE MS.JUSTICELAPITA BANERJI

Present: Petitioner No.3-Abhishek Verma in person.

G.S. Sandhawalia, Acting Chief Justice (Oral)

The petitioners in the present writ petition filed under Article 226/227 of the Constitution of India seeks setting aside of the impugned order dated 15.05.2024 (Annexure P-17). Further prayer is made for directing the private-respondents to compensate the petitioners, in view of the report dated 26.02.2024 (Annexure P-4), for the physical damage caused to them due to the construction being raised in the adjoining plot.

2. The petitioner No.3 who is a tenant has already sought his remedy before the Sub-Divisional Magistrate (SDM), Panchkula, where the next date is fixed for 27.05.2024. The SDM had initially passed the interim order on 04.04.2024 (Annexure P-13) in favour of the petitioners, which he had modified vide order dated 15.05.2024 (Annexure P-17).

3. In such circumstances, since the matter is already pending before the SDM, Panchkula, we are of the considered opinion that it would not be appropriate to call upon the respondents as the petitioners have already exercised their remedy in accordance with law and opening another front would not be justified at this point of time. Resultantly, we do not think it is a fit case to exercise the writ jurisdiction under Articles 226/227 of the Constitution of India. The present writ petition is, accordingly, dismissed.

(G.S. SANDHAWALIA)
ACTING CHIEF JUSTICE

24.05.2024
Naveen

(LAPITA BANERJI)
JUDGE

Whether speaking/reasoned :	Yes
Whether Reportable :	No