



IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No. 9683 of 2010 (O&M)

Date of Decision: 23.07.2024

Manoj Kumar and othersPetitioners
versus
State of Punjab and anotherRespondents

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE VIKAS SURI, JUDGE

Present : None for the petitioners.
Mr. Salil Sabhlok, Sr. Deputy Advocate General, Punjab.
Mr. Ashish Verma, Advocate, for respondent No.3.

SHEEL NAGU, CHIEF JUSTICE (Oral)

The present petition has been filed by the petitioners under Articles 226/227 of the Constitution of India praying for the following substantial relief:-

“b) *issue a writ in the nature of mandamus thereby giving directions to the respondents to remove the encroachment on 100 feet wide metalled road in the approve T.P. Scheme No. 9, Part-1, Bathinda (Punjab) as depicted in the Zonal Planning as well as site plan keeping in view the provisions of Constitution of India and also the provisions of Punjab Municipal Corporation Act and to take appropriate action in the matter accordingly for proper utilization of the area as well as for free access as well as to right to life to the inhabitants keeping in view the Article 21 of the Constitution of India.*”

2. This petition was filed by eight persons who were residents of the area concerned where construction of 100 feet wide metalled road was stalled on account of certain encroachments made by one of the plot holder and the said plot holder having been protected by status quo order passed in Civil Writ Petition Nos. 16232 and 16455 of 1994.



3. Learned counsel for respondent No.3-Municipal Corporation, Bathinda has filed a reply inter-alia revealing that both the aforesaid Civil Writ Petitions wherein status quo had been granted have been dismissed vide order dated 05.02.2024, whereafter, the Municipal Corporation has removed all the encroachments and started construction of the road in question.
4. In view of the aforesaid subsequent developments and the fact that the Municipal Corporation has started construction of the road in question, it would be appropriate that this petition be disposed of with liberty to the petitioners to revisit the Court in case any of their grievances remains unaddressed.
5. Disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(VIKAS SURI)
JUDGE

23.07.2024
ravinder

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