

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

**CWP No.19984 of 2022 (O&M)
Date of Decision :20.08.2024**

Navjot Kaur

.....Petitioner

Versus

State of Punjab and others

..... Respondents

**CORAM: HON'BLE MR.JUSTICE ARUN PALLI
HON'BLE MR.JUSTICE VIKRAM AGGARWAL**

Present : Mr. N.P.S.Mann, Advocate for the petitioner.

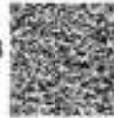
Mr. Jastej Singh, DAG, Punjab.

**Mr. Baltej Singh Sidhu, Sr. Advocate with
Mr. Arshdeep Singh Sra, Advocate and
Mr. Divij Datt, Advocate for respondent-MC.**

ARUN PALLI, J. (Oral):

**On 05.09.2022, a Co-ordinate Bench had passed the following
order:-**

**“This writ petition has been filed by petitioner
(owner of House No. 158, Phase XI, Sector 65, SAS Nagar,
Mohali) seeking direction to official respondents to take
action against owners of House Nos. 65, 90, 145, 146 and
157, Phase XI, Sector 65, SAS Nagar, Mohali, who have
illegally occupied the green belt area adjoining to their
respective houses. Though repeated complaints have been
moved against the encroachers, the fact that office of
respondent No. 3-Commissioner, Municipal Corporation,
SAS Nagar, Mohali had issued notice dated 7.6.2018
(Annexure P-4) to the owner of House No.146, Phase 11,
SAS Nagar, who has illegally occupied the green belt area,**



but till date neither encroachment has been got removed nor any action has been taken against the encroachers.

Notice of motion.

Mr. V.G. Jauhar, Additional A.G. Punjab accepts notice on behalf of respondents No. 1 and 2 only.

Learned counsel for petitioner is requested to furnish copy of paper book to Mr. Jauhar, learned Additional A.G. Punjab during the course of day.

Since public notice dated 29.1.2019 (Annexure P-5) was issued by the Commissioner, Municipal Corporation, SAS Nagar, Mohali, for removal of encroachment (adjacent to their houses by the plot holders) over the Government land, let a detailed reply be called from respondent No. 3-Commissioner, Municipal Corporation, SAS Nagar, Mohali, as to what action has been taken by respondents No. 3 and 4 for removal of encroachment over the Government land meant for green belt abutting to the land of plot holders especially in view of the fact that the drive for removal of encroachment was initiated by the authorities concerned way back in the year 2018.

Adjourned to 11.10.2022.”

Learned Senior counsel appearing for respondents No.3 and 4 submits that a short reply, on behalf of respondents No.3 and 4, was filed on 02.11.2022, which reads as thus:-

“That pursuant to the notices issued to the unauthorised occupants (P4-P5) the encroachments have been removed on 02.11.2022 by the authority of Municipal Corporation, S.A.S. Nagar, Mohali.

It is, therefore, respectfully prayed that the present writ petition may kindly be dismissed.”



Concededly, no replication/counter affidavit has been filed to controvert the position, set out in the reply, filed on behalf of the said respondents.

Faced with this, learned counsel for the petitioner submits that nothing substantive survives in the petition and the same be disposed of as having been rendered infructuous. However, if any cause of action arises in future the petitioner shall avail such other remedies as admissible in law.

Disposed of as having been rendered infructuous.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

20.08.2024
Manoj Bhutani

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