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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-27403-2018
Date of Decision: April 08, 2024

Tara Chand

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Rakesh Gupta, Advocate
for the petitioner.

Mr.Navdeep Singh, Sr.DAG, Punjab.

Mr.Kannan Malik, Advocate
for respondent No.3.

.....

RAJESH BHARDWAJ, J.(ORAL)

Prayer in the present petition is for issuance of direction to the respondents to remove the illegal encroachments over the public place in the markets/bazaar of Rajpura, i.e. Tahliwala Chowk, Tohera Chowk, Liberty Chowk to Gagan Chowk, Jahawar Market Block 1-2, Bhagtu Ram Soda Wala Chowk, Lakker Mandi Chowk, Indra Market, Subhash Market, Patel Market, Gopal Market, Bans BaZAAR, Reta Bajri Market, MLA Road, Gurudwara Singh Shaba Road and Sunday Bazaar, which are proving traffic hazardous, unfit and inhuman conditions in the area thus violating the human rights of the people at large as passage is narrow to such an extent due to such encroachments that in the event of fire, the Fire Brigade cannot reach to the place of fire timely resulting into total loss of property and human life.

Learned counsel appearing for respondent No.3/MC has submitted that pursuant to the notice reply, dated 07.10.2022, has been filed. He has submitted that necessary action for removal of encroachments has already been taken. He has drawn attention of this Court to para No. 5 of the reply wherein it has been mentioned that resolution was passed and certain directions were given. He submits that though action in response to the resolution has been taken, however, for any encroachment thereafter, respondent No.3-MC would keep on taking action so as not to allow any encroachment on the same in future.

In view of the above mentioned facts, the present petition is disposed of with a direction to respondent No.3 to keep on managing the situation and take necessary action in view of the resolution passed by it.

April 08, 2024
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(RAJESH BHARDWAJ)
JUDGE

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |