



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 18711 of 2024
Date of decision: 06.08.2024

Harmeet Kaur alilas Madhu Bala

.... Petitioner

Vs.

State of Punjab and others

.... Respondents

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

Present: Mr. Priyanshu Kamra, Advocate
for the petitioner.

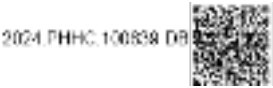
ARUN PALLI, J (Oral)

A mandamus is prayed for commanding the respondents to ensure removal of illegal encroachments that have been caused over the land/shop owned by the petitioner, by the Bathinda Development Authority (respondent No.3).

Learned counsel for the petitioner submits that the petitioner owns a shop No.26, measuring 20'x100'=2000 sq.feet, situated in New Anaz Mandi, Abohar Tehsil Abohar. It is submitted that Bathinda Development Authority (respondent No.3), while carving a residential colony behind the commercial units, as also the shop Nos. 24, 25 and 26, that exist in the Mandi, has encroached substantial part of her property. Resultantly, she is unable to construct her shop

. It is urged that prior to the institution of this petition, the petitioner had even served the respondent authorities with legal notices dated November 09, 2022 (P-18) and January 29, 2024 (P-19). And, even though a considerable time has elapsed, the matter has not made any tangible progress. Thus, this petition.

Served with the advance copy of the petition, Mr. Vipin Pal Yadav, Additional Advocate General, Punjab, is present in Court on behalf of respondents No.1 to 8. At the outset, he, on instructions, submits, for the competent authority is already in seisin of the concerns/grievances of the petitioner, as set out in the petition, it would be expedient, if the petition is



disposed of, at this stage, to enable the respondent authorities to deal therewith and pass necessary orders, in accordance with law. Further, he submits that before any such orders are passed, the petitioner shall also be heard. And, a formal communication in this regard will be issued to her, well in advance.

Learned counsel for the petitioner is agreeable to the course suggested by the learned State counsel and submits that let the petition be disposed of in terms of the statement made by him. However, he submits that the matter being time sensitive, the competent authority be directed to consider and finally decide the matter within a specified time.

To this, learned State counsel submits that the necessary orders in this regard shall be passed within eight weeks from today.

In the wake of the position sketched out above, and in terms of the statement made by learned counsel for the parties, this petition is accordingly disposed of.

This Court is sanguine that the authority shall consider/examine the matter in the right earnest, and pass appropriate orders, within the time indicated by learned State counsel, assigning reasons in support thereof.

Needless to assert that this order shall not constitute an expression of opinion on the merits of the case of either party, for, as indicated earlier, the competent authority shall examine the grievances of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

06.08.2024
deepak

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