

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-2879-CWP-2024 in/and
CWP-22006-2022 (O&M)
Date of decision: 04.03.2024

Lokesh Kumar

....Petitioner

Versus

State of Haryana and others

....Respondents

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

Present: Mr. S.S. Nain, Advocate, for the petitioner.

Mr. Ankur Mittal, Additional Advocate General, Haryana,
Mr. Karan Jindal, Assistant Advocate General, Haryana, &
Mr. Ankur Mittal, Advocate and
Ms. Kushaldeep Kaur, Advocate, for respondent-HSIIDC.

ARUN PALLI, J. (Oral)

CM-2879-CWP-2024

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed. Consequently, with the consent of learned counsel for the parties, the date fixed in the main case is preponed to today, i.e. 04.03.2024.

CM-2881-CWP-2024

Application is allowed, as prayed for.

Documents are taken on record.

Main case

The petitioner has prayed for the following substantive relief:-

“Civil Writ Petition under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of Mandamus for directing the respondents for removing of encroachment on road adjoining Hali Park by Municipal Corporation, Panipat in Old Indl. Area, Panipat”

The records show that notice was issued to the respondents as back as on October 12, 2022. However, despite repeated opportunities, no response has been furnished to date.

Learned counsel for the respondent-HSIIDC submits that rather than submitting a formal reply, it would be expedient if the petition is disposed of, at this stage, to enable the competent authority to deal with the concerns/grievances of the petitioner, for it is already in seisin of the matter. And pass necessary orders, in accordance with law. Further, he submits that before any such orders are passed, the petitioner shall also be heard.

Learned counsel for the petitioner is in agreement with the course suggested by learned counsel for the respondent-HSIIDC and submits that let this petition be disposed of, in terms of the statement made by him. However, it is urged that the authorities be directed to do the needful within a specified time.

In response, learned counsel for the respondent-HSIIDC submits that appropriate orders shall be passed within a period of six weeks from today.

The petition is accordingly disposed of, in terms of the statements made by learned counsel for the parties.

This Court is sanguine that the authorities shall look into the matter in the right earnest. And the appropriate orders shall be passed within the time indicated by learned counsel for the respondent-HSIIDC.

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

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

04.03.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No