

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-9991-2018(O&M)
Date of decision: 25.01.2024

Sandarbh Saini
... Petitioner
Versus
State of Haryana and others
... Respondents

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

Present: Mr. Vijay Pal, Advocate, for the petitioner.
Mr. Ankur Mittal, Addl.A.G. Haryana, and
Ms. Kushaldeep Kaur, Advocate.
Mr. Deepak Balyan, Advocate,
for respondents No.2 & 3.

ARUN PALLI, J. (Oral)

On January 8, 2024, this Court had passed the following order:-

“As per averments set out in para 8 of the response filed on behalf of respondents No.4 & 5, dated 26.04.2019, the illegal site had since been demolished and, thus, no further action was required. Further, the field staff was instructed to visit the site regularly to ensure that no illegal construction is carried out, and in case any such encroachment/construction is found, the same be demolished, in accordance with law.

Faced with this, learned counsel for the petitioner prays for a short accommodation to seek instructions.

As prayed, adjourned to 25.01.2024.

Meanwhile, fresh status report be also filed by the respondent(s) three days’ prior to the adjourned date.

To be taken up immediately after the urgents.”

Fresh status report in terms of the order referred to above, has not been furnished. However, Mr. Ankur Mittal, learned Additional Advocate General, Haryana, submits that as the petition has substantially served its

purpose, the same may be disposed of. But, with liberty to the petitioner that in case any concerns/grievances or cause of action still survives, he may move the competent authority by filing a representation. He submits that in case any such representation is received, the authority would consider the same, and pass appropriate orders in accordance with law, after hearing the petitioner.

Learned counsel for the petitioner is in agreement with the course suggested by the learned counsel for respondents. However, he prays that respondent-authorities be directed that in case any such representation is filed, the same be disposed of within a stipulated time.

To which, learned counsel for the respondents submits that in the event of any such representation being filed within two months from today, the competent authority shall decide the same within a further period of 3 months from its receipt. And, before any such orders are passed, petitioner shall also be heard.

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

(Arun Palli)
Judge

(Vikram Aggarwal)
Judge

25.01.2024
Rajan

Whether speaking / reasoned:	YES/NO
Whether Reportable:	YES/NO