

CWP-25298-2022

Date of Decision : 01.02.2024

Rameshwar

...Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON’BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: Mr. Harkirat Singh, Advocate for Mr. Vikram Singh, Advocate for the petitioner.

Mr. Vivek Chauhan, Addl. A.G., Haryana for respondent Nos.1 to 4.

Mr. S.P. Chahar, Advocate for respondent No.5.

VINOD S. BHARDWAJ, J. (ORAL)

There are two fold prayers that have been made by the petitioner in the present writ petition i) for removal of the unauthorized street constructed on the plot of the petitioner and ii) removal of the electricity pole from the plot of the petitioner and decide the representation.

Written statement on behalf of respondent No.5 has been filed in Court today. The same is taken on record.

Learned State counsel, on instructions from Sub Divisional Officer (Operations), Sub Division UHBVNL, Beri, submits that insofar as the question of removal of electricity pole is concerned, the same has already been removed. The said fact is also substantiated by the counsel for respondent No.5. It is further contended that insofar as the remaining issue pertaining to alleged encroachment on the private land of the petitioner by

way of construction of a street is concerned, the same is a disputed question of fact and can be adjudicated by a Civil Court.

In view of the above said statement made by the State counsel, on instructions from Sub Divisional Officer (Operations), Sub Division UHBVNL, Beri, the grievance for erection of the electricity pole having already been redressed and the aspect of an alleged encroachment on his plot land by way of construction of a street being a private dispute with the Gram Panchayat and the petitioner, is a disputed question of fact, which cannot be adjudicated by this Court.

The present petition is disposed of while mandating no further directions at this stage with liberty to the petitioner to approach the competent Court, if so advised, for seeking redressal of his grievances.

February 01, 2024

ps

Whether speaking/ reasoned : *Yes/No*

Whether reportable : *Yes/No*

(VINOD S. BHARDWAJ)

JUDGE