



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 31889 of 2024

Date of decision: 27.11.2024

Suman

.... Petitioner

Vs.

State of Haryana and others

.... Respondents

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

Present: Mr. Mandeep Singh, Advocate, for the petitioner.

ARUN PALLI, J (Oral)

The petitioner (Suman) has prayed for the following substantive relief:

“Civil Writ Petition under Articles 226/227 of the Constitution of India for the issuance of an appropriate order or direction, calling for the record of the case and after perusal of the same:

(i) Issue a writ in the nature of mandamus directing the respondents while taking action on the representations dated 26.07.2024, 30.07.2024, 01.08.2024, 13.08.2024, 13.08.2024 (Annexure P/20 to P/24), and justice demand notice dated 20.10.2024 (Annexure P/25) to get remove the illegal and unauthorised fencing made by the private persons with iron barbed wire by making the encroachment on berms/pavements in front of the shops/kiosk NO.88 and 89, Sector 18, Panipat, of the petitioner i.e. space between shop and road/parking lot which is against lay out plan (annexure P/26) and also adversely affecting the business of the petitioner and also causing the financial loss to the petitioner and other shop keepers as well, causing hardship and difficulties to customers and General public, which is defeating the purpose of establishing a well planned Urban Estate.”



Served with the advance copy of the petition, Mr. Deepak Sabherwal, Advocate, is present in Court on behalf of the respondents-HSVP. At the outset, he submits that pursuant to the repeated representations submitted by the petitioner, the competent authority has taken cognizance of the matter, which is under active consideration. And, in the given circumstances, it would be expedient if the petition is disposed of, at this stage, to enable the respondent authorities to deal with the concerns/grievances of the petitioner, and pass appropriate orders, in accordance with law, as expeditiously as possible. He further submits that before any such orders are passed, the petitioner shall also be heard. And, a formal communication in this regard will be issued, well in advance.

Learned counsel for petitioner is agreeable to the course suggested by the learned counsel for the respondent-HSVP and submits that let this petition be disposed of in terms of the statement made by him.

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, assigning reasons in support thereof, as expeditiously as possible.

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

27.11.2024
deepak

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