

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No. 13622 of 2013

DATE OF DECISION : 28.06.2013

Manjinder Singh

.... PETITIONER

Versus

State of Punjab and others

..... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. R.S. Ghuman, Advocate,
for the petitioner.

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SATISH KUMAR MITTAL, J. (Oral)

The petitioner, who is a resident of village Ghuman, District S.B.S. Nagar, has filed the instant writ petition under Articles 226/227 of the Constitution of India for issuing direction to respondents No.1 to 5 to take immediate action on the representations dated 10.6.2013 (Annexures P-1 to P-3) made by the petitioner and to restrain respondents No.6 to 18 and their associates from digging the illegal *khaal* from the Nazool land of the village.

After hearing learned counsel for the petitioner, we are of the opinion that if some body is illegally raising construction in the Nazool land of the village, the petitioner has an effective and efficacious remedy of filing suit for permanent injunction before the competent court. He can also take

his remedy under Cr.P.C., to prevent nuisance. In view of these alternative remedies under the ordinary law of land, we are not inclined to entertain this petition under the extra ordinary writ jurisdiction of this Court.

Dismissed.

However, it will be open to the petitioner to avail appropriate remedy under the ordinary law of the land.

**(SATISH KUMAR MITTAL)
JUDGE**

June 28, 2013
ndj

**(RAJIV NARAIN RAINA)
JUDGE**