

(2003) 04 RAJ CK 0013

In the Rajasthan High Court

Case No : Civil Writ Petition No. 1773 of 2003

Jai Kumar Sharma and Others

APPELLANT

Vs

State of Rajasthan and Others

RESPONDENT

Date of Decision : 22-04-2003

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2003) 4 RLW 2489

Hon'ble Judges : Asok Parihar, J

Bench : Single Bench

Advocate : G.L. Pareek and Saket Pareek, for the Appellant;

Final Decision : Dismissed

Judgement

Parihar, J.—Petitioner has challenged the notice dated 30.1.2003 issued by respondent No. 2 directing the petitioner to remove encroachment from the road, specifying the same in the notice. It has been submitted by counsel for the petitioner that in spite of temporary injunction been granted by trial court, the notice has been issued by the respondent No. 2.

2. After having considered entire facts and circumstances of the present case, since the petitioner has already approached and availed a remedy of filing a suit before the trial Court and some interim orders have also been passed, no interference is called for by this Court under its writ jurisdiction in the present matter. Even otherwise the Courts should not be a party encourage encroachment on the public land, more specifically the roads and lanes. By passing interim orders in such matters would only lower down the image of the Courts. Even any efforts are made by public authorities to regularise such unauthorised constructions, the same are highly depreciable.

3. The writ" petition is dismissed accordingly as having no merit. Copy of this order may also be sent to respondents immediately.