

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CR No. 3055 of 2012 (O&M)
Date of Decision : 06.02.2015

Ramesh Kumari Sharma

....Petitioner

Versus

Municipal Corporation Amritsar and another

....Respondents

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

1. *Whether Reporters of the local papers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the digest?*

Present: Mr. V.K. Sandhir, Advocate
for the petitioner.

None for respondent no. 1.

Mr. Ajay Pal Singh, Advocate
for Mr. T.S. Gujral, Advocate
for respondent no. 2.

R.P. Nagrath, J. (Oral)

Challenge in the instant petition is to the order dated 17.01.2012 (Annexure P-2) passed by the trial Court whereby application filed by the petitioner for grant of *ad interim* injunction was declined, and also the order dated 28.02.2012 (Annexure P-3) passed in appeal by the learned Additional District Judge affirming the order of trial Court.

Learned counsel for the parties submit that CWP No. 19469 of 2012 alongwith connected writ petitions are pending before this Court and in CWP No. 19469 of 2012 (***Hotel Mercury Inn Vs. State of Punjab and others***) an order has been passed

by this Court on 11.09.2014, in which it has been observed as under:-

“Learned State counsel submits that pursuant to order dated 7.3.2014 passed by 1st Division Bench, a Special Investigation Team was constituted. It submitted in its report wherein it found 104 cases of violation. According to him, hotels are being run in the buildings within the walled city and Municipal Corporation is in process of issuing notice in light of violations found by the SIT. Prima-facie, this court feels that Corporation should be given liberty to take action on the basis of that report. However, counsel for the petitioners pray for last opportunity to address arguments.

Adjourned to 13.10.2014.

A photo copy of this order be placed on the file of each connected cases.”

That writ petition alongwith connected writ petitions is pending before this Court for 10.03.2015.

Learned counsel for the parties submit that in those writ petitions the Municipal Corporation has been granted liberty to take action on the basis of report of the SIT and Municipal Corporation is in the process of issuing notices in the light of violation found by the SIT.

Learned counsel for the respondent, therefore, submits

that the action by the Municipal Corporation may also be initiated against the petitioner in terms of the same observations made in the order dated 11.09.2014, passed in CWP No. 19469 of 2012 and other connection matters.

The instant petition is, therefore, disposed of with the aforesaid observations.

The trial Court is, however, directed to expedite the disposal of the suit.

February 06, 2015
jk

(R.P. NAGRATH)
JUDGE