

In the High Court of Punjab and Haryana at Chandigarh

Crl. Revision No. 4056 of 2015 (O&M)
Date of decision: 30.11.2015

Punjab Urban Planning and Development AuthorityPetitioner
now Greater Ludhiana Area Development Authority

Versus

Harjit SinghRespondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Ashish Grover, Advocate
for the petitioner.

SABINA, J.

Respondent had faced the trial in a complaint filed by the petitioner under Section 36 of the Punjab Apartment and property Regulation Act, 1995.

I have heard the learned counsel for the petitioner and have gone through the record available on the file carefully.

Case of the complainant, in brief, was that the respondent was owner of the land in question and had sold the same by carving out small plots for residential, commercial, industrial and other building purposes.

Trial Court vide order dated 1.11.2010 ordered the acquittal of the respondent. Aggrieved against the said order, petitioner preferred an appeal and the same was dismissed by the Appellate Court vide order dated 23.7.2013. Hence, the present petition by the petitioner.

Trial Court while ordering the acquittal of the respondent has noticed that so far as CW-1 Amarjeet Singh was

concerned, no reliance could be placed on the statement of the said witness as he was not aware of the site in dispute nor had visited the spot. The complaint had been filed by the Urban Planning and Development Authority, Ludhiana through Arun Kumar, Assistant Engineer. Arun Kumar died during the pendency of the complaint but no effort was made to bring on record any other official on behalf of the authority.

Appeal filed by the authority against the order of acquittal of respondent was dismissed by the Appellate Court vide order dated 23.7.2013. The reasons given by the Courts below while ordering the acquittal of the respondent are sound reasons and call for no interference.

Dismissed.

**(SABINA)
JUDGE**

November 30, 2015

Gurpreet