

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.12988 of 2013
Date of Decision: November 05, 2015

Surinder Kumar Vig

....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE P.B.BAJANTHRI.

Present: Mr.B.S.Jaswal, Advocate, for the petitioner.
Mr.Rajesh Bhardwaj, Additional AG, Punjab.
Mr.Ashish Grover, Advocate, for respondent No.3.
Mr.Gaurav Gupta, Advocate, for respondent No.4.
Mr.Vishal Goel, Advocate, for
Mr.J.S.Thind, Advocate, for respondent No.5.

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1. Whether Reporters of 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?

Surya Kant, J. (Oral)

The building-in-dispute is situated within the limits of Nagar Panchayat, Rayya, Tehsil Baba-Bakala, District Amritsar. The 5th respondent has raised massive construction at the site without getting the building-plan sanctioned. The Nagar Panchayat is said to have filed a complaint against him under Sections 195, 219 and 228 of the Punjab Municipal Act, 1911 which is pending in the Court of Sub Divisional Judicial Magistrate, Baba-Bakala and is now listed for hearing on 23.11.2015.

We are informed that evidence is complete and the matter is now listed for orders. If both the parties have led their evidence and case is ripe for arguments, we direct the

Sub Divisional Judicial Magistrate, Baba-Bakala to decide that complaint before 11.12.2015.

Learned counsel for respondent No.5 undertakes that if the allegation of unauthorized construction are proved, the said respondent shall demolish the construction to the extent it is found to have been raised unauthorizedly. Nonetheless, we direct that if respondent No.5 fails to do so within four weeks from the date of passing of such order by the SDJM, the Deputy Commissioner, Tarn-Taran and S.D.O. (Civil), Baba-Bakala shall be responsible to demolish such illegal construction at the expenses of respondent No.5 and file a compliance report. They shall do so within one month from the date of expiry of four weeks period granted to respondent No.5.

The writ petition stands disposed of in the above terms.

Dasti.

[SURYA KANT]
JUDGE

November 05, 2015
mohinder

[P.B.BAJANTHRI]
JUDGE