

CWP Nos.18400, 18406 and 18407 of 2013

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

Date of Decision: 27.01.2015

1. CWP No.18400-2013

Balbir Kaur Jabble and another

... Petitioner(s)

Versus

Municipal Corporation, Ludhiana and another

... Respondent(s)

2. CWP No. 18406-2013

Balbir Kaur Jabble and another

... Petitioner(s)

Versus

Municipal Corporation, Ludhiana and another

... Respondent(s)

AND

3. CWP No. 18407-2013

Balbir Kaur Jabble and another

... Petitioner(s)

Versus

Municipal Corporation, Ludhiana and another

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

- 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 ?

CWP Nos.18400, 18406 and 18407 of 2013

Present: Mr. D.B.Sobti, Advocate for
Mr. B.B.S.Sobti, Advocate,
for the petitioners in all petitions.

Mr. Harsh Aggarwal, Advocate,
for the respondents.

Paramjeet Singh, J.(Oral)

This order shall dispose of CWP Nos.18400, 18406 and 18407 of 2013 as common questions of fact and law are involved in all the petitions.

Before proceeding further, a brief reference to the facts is necessary which are being extracted from CWP-18400-2013.

CWP-18400-2013 has been filed under Article 226 of the Constitution of India for quashing auction notice issued by the respondents qua the shop of the petitioners bearing No. STF-10-A in continuation of the illegal notice issued under Sections 137 and 138(2) of the Punjab Municipal Corporation Act, 1976 for auctioning the property No.B-XX-3372, being number allotted by Municipal Corporation to the property over which a Mall has been constructed under the name of 'Anal Plaza' and includes the shop of the petitioners.

I have heard learned counsel for the parties and perused the record.

Since the petitioners claim that they are not owners of the shop, however, in possession of the shop on the basis of an agreement, therefore, this Court, vide order dated 28.07.2014, directed the Municipal Corporation to pass appropriate order on the representation of

CWP Nos.18400, 18406 and 18407 of 2013

the petitioners.

Learned counsel for the respondents has produced a copy of order dated 22.01.2015 passed by the Commissioner, Municipal Corporation, Ludhiana. The same is taken on record.

It has been stated that the petitioners have deposited the entire amount with regard to shops subject matter of CWP Nos.18406 and 18407 of 2013, however, an amount of Rs.28381/- remains to be paid with regard to shop No.10-A which is subject matter of CWP-18400-2013.

So far as the prayer of issuance of individual TS-I certificates is concerned, the petitioners will be at liberty to file separate applications for the same after depositing the entire amount if they are not aggrieved with the order dated 22.01.2015. If they still feel aggrieved with the same, they will be at liberty to file appeal before the appellate authority.

These petitions are disposed of in above terms.

27.01.2015

parveen kumar

(Paramjeet Singh)
Judge