

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.24098 of 2015
Date of Decision: November 18, 2015

Prem Lal and othersPetitioners

versus

State of Punjab and anotherRespondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr.Vishal Sharma, Advocate, for the petitioners.
Mr.Rajesh Bhardwaj, Additional AG, Punjab.
Mr.Ashok Bazaz, Advocate, for respondent No.2.

-.-

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)

Notice of motion.

On our asking, Mr.Rajesh Bhardwaj, learned Additional Advocate General, Punjab, accepts notice on behalf of respondent No.1 and Mr.Ashok Bazaz, Advocate accepts notice on behalf of respondent No.2.

Let two copies of the writ petition be supplied to each State counsel and learned counsel for respondent No.2 during the course of day failing which this order shall be automatically recalled and the writ petition shall be deemed to have been dismissed for non-prosecution.

In view of the nature of order which we propose to pass, it is not necessary to seek any counter-reply from the respondents at this stage.

The petitioners seek quashing of the notices issued by the Municipal Corporation, Ludhiana, dated 12.05.2014, 21.11.2014 and 28.11.2014 (P-6, P-9 & P-10, respectively), which are in fact final demolition notices issued under Section 246-A of the Punjab Municipal Corporation Act, 1976.

During the course of hearing learned counsel for the parties are ad-idem that similar matter was disposed of by this Court vide order dated 06.11.2015 passed in Civil Writ Petition No.23989 of 2015 (Valmiki Ahsram and others versus State of Punjab and another), with a direction to the Commissioner, Municipal Corporation, Ludhiana to treat that petition alongwith documents appended thereto, as a joint representation on behalf of the petitioner-Society and its members and as a common reply to the impugned notices; hold a fact finding inquiry and thereafter determine as to whether the members of the petitioner-society have encroached upon the public property or they are in its lawful occupation.

The instant writ petition is also disposed of in terms of Valmiki Ahsram and others' case (supra).

Status-quo re: demolition or further construction shall be maintained in the same terms.

[SURYA KANT]
JUDGE

November 18, 2015
mohinder

[HARI PAL VERMA]
JUDGE