

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

CWP No.2607 of 2015
Date of Decision: 20.03.2015

Davinder Singh

. . . .Petitioner

Versus

State of Punjab and others

. . . . Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.Dilpreet Singh Gandhi, Advocate,
for the petitioner.

Mr.Anant Kataria, AAG, Punjab.

Mr.Sandeep Khunger, Advocate,
for respondents No.4 & 5.

RAKESH KUMAR JAIN, J. (ORAL)

On 2.3.2015, following order was passed by this Court: -

“The prayer made by the petitioner, at this stage is only restricted to permitting him to carry out the necessary alteration in the building structure pursuant to the order dated 23.01.2014 so as to meet the parameters for operating his hotel, the premises which otherwise are lying sealed.

Notice of motion to respondents No. 3 and 4 only.

At the asking of the court, Mr. V.Ramswaroop, Additional Advocate General, Punjab, accepts notice on behalf of respondents no. 3 and 4 and prays for time to seek necessary instructions.

Adjourned to 20.03.2015.

To be taken up in the Urgent List.”

VIVEK PAHWA
2015.03.24 09:43
I attest to the accuracy and
authenticity of this document

Pursuant thereto, a short reply is filed today of Nirmalpreet Singh, Municipal Town Planner, Municipal Corporation, Amritsar on behalf of respondents no.4 & 5.

Learned counsel for the respondents has pointed out that the petitioner has sworn an affidavit on 4.2.2015 to the effect that *“in this declaration I am declaring that I will not use the property in dispute as hotel till the time either Hon’ble Court will pass some order in the favour of the Hotels or Government will make some law to regularize the Hotels in any way”*. It is averred in the affidavit that if this Court, issues a direction to the petitioner not to use the building as a hotel, the Municipal Corporation would have ‘no objection’ in removing the seals and to allow the petitioner to use the building except for running a hotel.

Learned counsel for the petitioner has submitted that he would not use the premises in question as a hotel till the matter is decided by a competent Court of law.

In view thereof, the present writ petition is hereby disposed of permitting the petitioner to carry out necessary repairs/alterations in the building structure. The seal would be opened by the respondents within a week after the receipt of certified copy of this order.

20.3.2015

Vivek

**(RAKESH KUMAR JAIN)
JUDGE**