

CWP-951-2014

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

CWP-951-2014

Date of Decision: 27.01.2015

O.P.Seth and another

... Petitioner(s)

Versus

Municipal Corporation, Ludhiana and others

... 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 ?

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

Mr. Harsh Aggarwal, Advocate,
for respondents no.1 and 2.

Dr. Deepa Singh, Addl. A. G. Punjab.

Paramjeet Singh, J.(Oral)

Instant writ petition 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.AAG-01 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.

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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 the petitioners.

Learned counsel for respondents no.1 and 2 has produced a copy of order dated 22.01.2015 passed by the Commissioner, Municipal Corporation, Ludhiana. The same is taken on record.

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

Disposed of in the above terms.

27.01.2015

parveen kumar

(Paramjeet Singh)
Judge