

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

**CWP No. 8686 of 2015
Decided on : 05.05.2015**

Naresh Kumar

... Petitioner

Versus

State of Punjab and another

... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MRS. JUSTICE REKHA MITTAL**

PRESENT: Mr. Sandeep Arora, Advocate
for the petitioner.

AJAY KUMAR MITTAL, J. (Oral)

The prayer in this writ petition filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of *Mandamus* directing respondent No.2 i.e. Commissioner, Municipal Corporation, Jalandhar to take legal action against respondents No.6 to 8 for setting up/carving an illegal colony by dividing the aforesaid land which was more than 1000 sq. meters without obtaining licence from PUDA for the said purpose in contravention of the provisions of Sections 3 and 5 of the Punjab Apartment of Property Regulations Act, 1955.

2. Primarily, the present dispute is between the petitioner and respondents No.6 to 8, who are the private respondents. In such a situation, learned counsel for the petitioner states that he may be allowed to withdraw the instant writ petition with liberty to the petitioner to avail the remedy of civil suit.

3. Dismissed as withdrawn. It shall, however, be open to the petitioner to take recourse to the remedies available to him, in accordance with law.

**(AJAY KUMAR MITTAL)
JUDGE**

**(REKHA MITTAL)
JUDGE**

May 05, 2015

J.Ram