

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

Date of decision:26.05.2015.

Mahesh Kamboj and others

.....Petitioners

v.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Vikram Anand,Advocate for the petitioners
Mr.Yatinder Sharma,Addl.AG Punjab
Mr.NK Banka,Advocate for respondent no.2.

Jaswant Singh,J.(Oral)

Nine residents of Kartarpur Town, District Jalandhar are aggrieved by the illegal construction of a market in a residential premises by respondents 3 and 4 without sanctioning of building plan for commercial use by the Municipal Council,Kartarpur.

Upon notice, Vijay Kumar, Executive Officer, Municipal Council, Kartarpur has put in appearance through his counsel and states that the area is a Mixed Use Zone wherein construction of commercial property is also permitted. He further states that the alleged market in the said premises has been constructed after due sanction of the building plans by the Municipal Council,Kartarpur.

In view of the statement made by the Executive Officer, Municipal Council,Kartarpur, learned counsel for the petitioners fairly

concedes that the present writ petition has become infructuous.

However with regard to the legality or illegality of the sanctioned plans, he seeks permission to seek his remedy in accordance with law.

Dismissed as infructuous with liberty aforesaid.

26.05.2015.
joshi

(Jaswant Singh)
Judge