

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

**LPA No.1309 of 2015.
Date of Order: 23.09.2015**

Sukhpreet Singh

..Appellant

Versus

District Magistrate Fazilka and others

..Respondents

**CORAM: HON'BLE MR. JUSTICE RAJIVE BHALLA
HON'BLE MS. JUSTICE REKHA MITTAL**

**Present: Mr. Amar Vivek, Advocate,
for the appellant.**

**Ms. Munisha Gandhi, Addl.A.G.,Punjab
for respondents no.1 and 2.**

**Mr. Ambanshu Sahni, Advocate, for
Mr. Ashish Kapoor, Advocate,
for respondent no.3.**

**Mr. C.M.Munjhal, Advocate,
for respondent no.4.**

RAJIVE BHALLA, J (Oral)

The appellant is before us, challenging order dated 17.08.2015, primarily on the ground that even if the interim injunction was not granted, the learned Single Judge should have directed the District Magistrate to reconsider the matter, in accordance with law, instead of issuing of direction to the District Magistrate to issue the No Objection Certificate.

Counsel for the respondents state that they have no

objection if the order passed by the learned Single Judge is modified, but by directing the District Magistrate to consider facts noticed in the impugned order.

We have heard counsel for the parties and in view of a broad agreement regarding the nature of the prayer in the appeal, dispose of the appeal by modifying order dated 17.08.2015 and instead of directing the District Magistrate to issue the No Objection Certificate, direct the District Magistrate to take notice of facts narrated in the impugned order, any objection that may be raised by any of the parties and then pass a fresh order granting or refusing to grant a No Objection Certificate, in accordance with law.

Parties are directed to appear before the District Magistrate, Fazilka, on 08.10.2015, who shall take a decision in the matter within fifteen days of the aforesaid date.

(RAJIVE BHALLA)
JUDGE

September 23, 2015
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(REKHA MITTAL)
JUDGE