

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

**COCN No.3019 of 2015
Date of Decision:30.11.2016**

Inderjit Singh Maggo **.....Petitioner**

Vs.

Jagjit Singh Judge **.....Respondent**

CORAM:- HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present:- Mr. Swarn Singh Tiwana, Advocate for the petitioner.

Mr. Sameer Sachdeva, Advocate for the respondent.

RAKESH KUMAR JAIN, J.(Oral)

This petition is filed for the alleged disobedience of the order dated 21.8.2015. The petitioner filed a writ in the nature of mandamus seeking a direction to the official respondents to take action against respondents No.5 to 9 therein who had constructed the commercial buildings without following any norms and without getting the building plans sanctioned.

The said writ petition was disposed of on 21.8.2015 with a direction to the Executive Officer, Municipal Committee, Mandi Gobindgarh, to look into the grievance of the petitioner and communicate the decision to the petitioner, preferably within a period of two months.

Counsel for the respondent has submitted that action was initiated against defaulters/ respondents No.5 to 9 arrayed in the writ petition but they have filed the appeal against the said order dated 28.3.2016 passed by the Executive Officer/ Municipal Council, Gobindgarh, which has been stayed by the DC, Fatehgarh Sahib dated 7.4.2016. It is thus submitted

that the respondents are making all efforts to redress the grievance of the petitioner but because of the stay granted by the Appellate Court i.e. DC, Fatehgarh Sahib, the necessary action could not be taken against the violators. It is further submitted that the respondents have not committed any error and, therefore, this petition be dismissed and the rule be discharged.

Counsel for the petitioner, however, submits that the respondents have not taken action in time, therefore, the violators had filed appeal and obtained stay.

I have heard both the learned counsel for the parties and after perusing the entire record, I am of the considered opinion that insofar as order passed by this Court is concerned, that has been obeyed by the respondents though with small delay which can be ignored and since the matter is now pending in appeal in which stay has been granted, no relief can be granted to the petitioner in this petition. Dismissed.

Rule discharged.

November 30, 2016
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(RAKESH KUMAR JAIN)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No