

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-A-1942 -MA-2015 (O&M)

Date of decision: 29.02.2016

Municipal Council now Municipal Corporation, Hisar

.....Applicant

versus

Rakesh Gupta and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Dhiraj Chawla, Advocate for the applicant

- 1. Whether Reporters of Local Newspapers 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?*

Kuldip Singh, J. (Oral)

CRM No.39202 of 2015

For the reasons mentioned in the application, it is allowed and 177 days delay in filing the application for grant of leave to appeal stands condoned.

CRM-A-1942 -MA-2015

Heard learned counsel for the applicant.

A complaint was filed by the Municipal Council under Section 208 read with Section 233 of the Haryana Municipal Act, 1973 against the respondents for raising construction without sanctioned site plan.

It comes out that learned Chief Judicial Magistrate, Hisar vide impugned judgment dated 28.11.2014, held that the complaint is

not maintainable and the accused were acquitted from the charges levelled against them. Therefore, the same was dismissed.

I have gone through the judgment passed by the learned Chief Judicial Magistrate, Hisar. The learned Chief Judicial Magistrate, Hisar has given cogent reasoning in support of the judgment. Learned Magistrate has taken one of the two possible views.

It being so, there is no illegality or perversity in the same. Therefore, there is no ground to grant leave to file appeal and the same is dismissed.

29.02.2016
gk

(Kuldip Singh)
Judge