

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

**Civil Writ Petition No. 17554 of 2016
Date of Decision: 30.8.2016**

Harmanpreet Kaur

.....Petitioner

Vs.

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Sunil Chadda, Sr. Advocate with
Ms. Pallavi Singh, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK J. (ORAL)

Present writ petition is directed against the sanctioned building plan (Annexure P-3), which has been sanctioned by the respondent Municipal Corporation.

Learned senior counsel for the petitioner submits that apprehending that respondent-Municipal Corporation may not adhere to the relevant provisions of law, while sanctioning the building plan of respondents No. 5 to 8, she moved representation dated 14.7.2015 (Annexure P-2) well in time, but it seems that issues raised therein by the petitioner were not taken into consideration, while sanctioning the building plan. He also refers to the bye-laws contained in the Ludhiana Municipal Corporation Building Bye-Laws, 1997. He further submits that reminder dated 10.6.2016 (Annexure P-5) was also served by the petitioner to the Commissioner, Municipal Corporation, Ludhiana, but no action thereon has been taken so far.

Amit Kumar
2016.08.31 10:12
I attest to the accuracy and
authenticity of this document

Having heard the learned senior counsel for the petitioner and without expressing any opinion on the merits of the case, lest it should prejudice the rights of either of the parties, present writ petition is disposed of with a direction to the Commissioner, Municipal Corporation, Ludhiana-respondent No.2 to consider and decide the self contained objections raised by the petitioner vide her representation dated 14.7.2015 (Annexure P-2) and also the reminder dated 10.6.2016 (Annexure P-5), after granting due opportunity of being heard to the petitioner as well as to respondents Nos. 5 to 8. It is further directed that if necessity arises, he shall be at liberty to change the building plan (Annexure P-3), in accordance with the abovesaid building bye-laws. The Commissioner, Municipal Corporation, Ludhiana-respondent No.2 shall also ensure that respondents No. 5 to 8 will not start work at the site without getting this issue resolved, at the hands of competent authorities.

Let this exercise be completed at an early date by passing an appropriate order, strictly in accordance with law, and in any case within a period of six weeks from the date of receipt of a certified copy of this order.

With the abovesaid observations made and directions issued, present petition stands disposed of.

30.8.2016
Ak Sharma

(RAMESHWAR SINGH MALIK)
JUDGE

Whether speaking/reasoned Yes/No
Whether reportable: Yes/No