

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

**CWP No.20248 of 2015
Date of decision:23.11.2016**

Gurcharan Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr.Ankit Goel, Advocate for the petitioners.
Ms.Monika Chhiber Sharma, DAG, Punjab.
Mr.HPS Ghuman, Advocate for respondent No.3.

RAMESHWAR SINGH MALIK, J. (Oral)

Feeling aggrieved against the alleged inaction on the part of respondent authorities, petitioners have approached this Court by way of instant writ petition under Articles 226/227 of the Constitution of India, seeking a writ in the nature of mandamus.

Notice of motion was issued.

When this case came up for hearing on 14.7.2016, following order was passed:-

“Learned counsel for respondent no.3 submits that he does not intend to file any reply.

In view of the statement made by learned counsel for respondent No.3, list for arguments on 23.11.2016.”

Neither any reply has been filed on behalf of the respondent-State nor on behalf of the respondent-Municipal Corporation.

Learned counsel for the respondent-Municipal Corporation has fairly stated that since the Municipal Corporation has already passed Resolution No.214 dated 19.9.2014 (Annexure P-14) but the matter is not being finalised by the State Government and in the absence of any such decision by the competent authority, respondent-Municipal Corporation is

unable to proceed further. In this regard, learned counsel for the petitioners refers to communication dated 31.3.2015 (Annexure P-16), whereby the matter has been kept pending.

When confronted with the the above-said fact situation, learned counsel for the State could not address any meaningful arguments or reasons as to why the competent authority could not take appropriate decision so far.

In view of the above, instant writ petition is disposed of, with a direction to the Principal Secretary, Department of Local Government, Chandigarh-respondent No.1, to consider the above-said Resolution No.214 dated 19.9.2014 (Annexure P-4) passed by respondent-Municipal Corporation, Patiala, and take a final decision thereon at at an early date, by passing an appropriate order thereon, strictly in accordance with law but in any case within a period of three months from the date of receipt of a certified copy of this order.

With the above-said observations made and directions issued, the instant writ petition stands disposed of.

23.11.2016
mks

(RAMESHWAR SINGH MALIK)
JUDGE

Whether Speaking/reasoned : Yes/No

Whether Reportable : Yes/No