

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Civil Writ Petition No. 6055 of 2012 (O&M)

Date of Decision: 1.8.2016

K.V. Sharma

.....Petitioner

Vs.

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : None for the petitioner.

Mr. Yatinder Sharma, Additional A.G. Punjab.

Ms. Neha Jain, Advocate
for respondent No.4.

Mr. Arun Jain, Sr. Advocate with
Mr. Arjun Veer, Advocate
for respondent No.5.

RAMESHWAR SINGH MALIK J. (ORAL)

Learned counsel for the State has placed before the Court a copy of notification dated 17.9.2015 issued by the Secretary to Government of Punjab, Department of Local Government, Punjab, which reads as under:-

GOVERNMENT OF PUNJAB
DEPARTMENT OF LOCAL GOVERNMENT
(TOWN PLANING WING)
NOTIFICATION

No. Dir. TP-2015-2715

Dated 17-9-2015

AMIT KUMAR
2016.08.03 11:04
I attest to the accuracy and
authenticity of this document

Whereas a Town Planning Scheme bearing lay-out plan drawing No. STP (S) 3/2000, dated 17.08.2000 along with the Schedule of Clauses was sanctioned vide notification No. 4/8/2001-2LGIII/3238, dated 12.03.2001 for khasra No. 188, 189, 190, 198, 199 and 200, village Dhakoli, Hadbast No. 48 measuring 23 Bigha 10 Biswa at Nagar Panchayat (now Municipal Council), Zirakpur, with the condition that the owner shall abide by the conditions imposed by the Government from time to time to ensure development works within the Town Planning Scheme area.

Now in exercise of powers conferred under sub section 3 of section 192 of the Punjab Municipal Act 1911 read with section 19 of the Punjab General Clauses Act 1898 and all other powers enabling him in this behalf, the Governor of Punjab, is pleased to accord ex-post facto approval to the amended lay-out plan of the scheme New Generation Apartments dated 24.6.02, bearing drawing No. MCZ-(BB)-2315 dated 26.0.2015 adopted by the Municipal Council Zirakpur vide resolution No. 53 dated 14.07.15. The erection/re-erection of the amended Scheme shall be governed by the Schedule of Clauses of the notified Scheme.

	Ashok Kumar Gupta, IAS
Chandigarh	Secretary to Governemnt of Punjab,
Dated-04.09.2015	Department of Local Government, Punjab

Learned counsel for the State as well as learned counsel for respondent No.5 submit that in view of the abovesaid ex post facto approval granted by the competent authority to the amended lay out plan, present writ

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petition has been rendered infructuous and may be disposed of, as such.

In view of the abovesaid common statement made by learned counsel for the State as well as learned counsel for respondent No.5, present petition is disposed of as having been rendered infructuous, however, since nobody is present on behalf of the petitioner, liberty is granted to him to get the petition revived, if necessity arises.

With the abovesaid observations made, present writ petition stands disposed of.

(RAMESHWAR SINGH MALIK)
JUDGE

1.8.2016
Ak Sharma

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