

CWP No.23228 of 2016

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

CWP No.23228 of 2016
Date of decision: 15.11.2016

Balwinder Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE RAMENDRA JAIN**

Present: - Mr. Arun Bansal, Advocate, for the petitioner.

AJAY KUMAR MITTAL, J. (ORAL)

Petitioner has approached this Court under Articles 226/227 of the Constitution of India to make primary challenge to notification dated 19.10.2016 (Annexure P-11) issued by respondent No.2 – Additional Chief Secretary, Department of Local Government, Punjab, on the ground that the same is non-speaking and has been issued without considering the facts on record.

2. It has been stated by learned counsel for the petitioner that in pursuance to the show-cause notice dated 28.06.2016 (Annexure P-5), petitioner had filed a reply/representation dated 15.07.2016 (Annexure P-6) and additional reply dated 08.08.2016 (Annexure P-8) in terms of Section 22 of the Punjab Municipal Act, 1911 but no order thereon has been passed so far and in the meantime order dated 19.10.2016 (Annexure P-11) has been passed.

3. Prayer was made by learned counsel for the petitioner that petitioner at this stage shall be satisfied in case direction is issued to

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15.07.2016 (Annexure P-6) and the additional reply dated 08.08.2016 (Annexure P-8) within a time bound manner.

4. After hearing learned counsel for the petitioner, perusing the present petition and without expressing any opinion on the merits of the controversy, we dispose of the writ petition by directing respondent No.2 to take a decision on the reply/representation dated 15.07.2016 (Annexure P-6) and the additional reply dated 08.08.2016 (Annexure P-8) by passing a speaking order and after affording an opportunity of hearing to the petitioner, in accordance with law, within a period of one month from the date of receipt of copy of this order.

(AJAY KUMAR MITTAL)
JUDGE

November 15, 2016
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No