

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

CWP No. 8592 of 2016
Date of decision: 12.05.2016

Tirlok Chand

....Petitioner

Versus

State of Haryana and others

....Respondent

**CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH
DHALIWAL**

Present: Mr. Sunil Panwar, Advocate,
for the petitioner.

Paramjeet Singh Dhaliwal, J. (Oral)

Instant petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents No. 2 and 3 to sanction the site plan No. 263 dated 23.06.2014 pertaining to House Tax No. 2877-78.

Learned counsel for the petitioner contends that under Section 205 (5) of the Haryana Municipal Act, 1973, if the building plan is not sanctioned within 60 days of applying for it then the same is deemed to be sanctioned. Learned counsel for the petitioner further makes reference to Section 207 of the Haryana Municipal Act, 1973 and contends that if the construction is not commenced within one year from the date of sanction of the building plan then the sanction will be deemed to have automatically lapsed. He further contends that building plan has already been submitted for sanction with the authorities along with representations dated 23.06.2015 (Annexure P-10) and 05.01.2016 (Annexure P-12). He prays that authorities may be directed to take decision on the same.

Having heard learned counsel for the petitioner, after perusing the paper-book and considering the age of the petitioner, who is stated to be 86 years old, who wants a roof on his head in the evening of his life, however, without commenting on merits of the case, instant petition is disposed of, without issuing notice to the respondents, with a direction to respondent No.3-Executive Officer, Municipal Council, Rewari, District Rewari to take a decision on the representation dated 23.06.2015 (Annexure P-10), in accordance with law, within a period of 15 days from the date of receipt of certified copy of this order and copy of the order so passed shall be communicated forthwith to the petitioner.

12.05.2016

PA

(Paramjeet Singh Dhaliwal)
Judge