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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-10522-2016

Date of decision : 24.05.2017

Gurtej Singh and others

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. G.S. Bal, Senior Advocate with
Ms. Loveinder Kaur, Advocate
for the petitioners.

Ms. Monica Chhibber Sharma, DAG, Punjab.

Mr. Manbir Singh Batth, Advocate
for respondent No.3.

Mr. S.S. Sarwara, Advocate
for respondent No.4.

Mr. Puneet Sharma, Advocate
for respondent Nos.5 and 6.

AMIT RAWAL, J. (ORAL)

The petitioners have approached this Court for issuance of a writ in the nature of *mandamus*, directing respondent Nos.1 to 3, to stop misuse of residential premises by respondent No.4 to 6, by running Private Hospitals Nursing Homes in violation of the Punjab Model Building Bye-Laws, 2010.

Learned counsel for respondent No.3/Municipal Council, Rajpura, submits that Municipal Council has already instituted a suit against the private respondent(s) for the alleged violation and therefore, no cause of

action survives in the present writ petition as the grievance of the petitioners stands vindicated.

Learned counsel for respondent Nos.5 and 6 submits that they have taken the permission for CLU.

Keeping in view the aforementioned facts, I deem it appropriate to dispose of the present writ petition with liberty to the petitioner to join the pending suit or file an appeal, if need be, against the order of granting the CLU.

Disposed of accordingly.

However, in case any such appeal is filed, the Competent Authority shall decide the same in accordance with law, much less, after affording the opportunity of hearing.

24.05.2017 Yogesh Sharma	(AMIT RAWAL) JUDGE
	✓
Whether speaking/reasoned	Yes/ No
	✓
Whether Reportable	Yes/ No