

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

247

CWP-13270 of 2016

Decided on : 27.01.2017

Sukhpal Singh

... Petitioner

Versus

Municipal Corporation Chandigarh and another

.. Respondents

CORAM : HON'BLE MR.JUSTICE M.M.S.BEDI

Present : Mr.B.S.Sewak, Advocate
for the petitioner.

M.M.S.Bedi , J. (Oral)

The petitioner seeks a writ in the nature of mandamus directing the respondents to reduce the licence fee of the parking area after deducting 5751 Sq meters area which has been sealed on account of fire incident on 08.06.2014.

The petitioner claims that he had been granted license by the respondents-Corporation for operating parking area at Semi Automatic PPA of Bank Square, Sector 17, Chandigarh. The grievance of the petitioner is that he had filed a representation for reducing the licence fee on account of the fact that he has not been permitted to use the area measuring 5751 Sq.meters.

Claiming to have a legally enforceable right, the petitioner has sent a legal notice (Annexure P/4) to the Commissioner, Municipal Corporation Chandigarh.

Despite order of dasti notice to the respondents, petitioner

failed to collect the notices. As a result, notice could not be served upon the respondents.

Taking into consideration the nature of relief, as claimed, I am of the considered opinion that in the interest of justice, it would be adequate if a direction is issued to the Commissioner, Municipal Corporation, Chandigarh to consider the claim of the petitioner on the basis of equity.

This petition is disposed of with a direction that legal notice dated 12.05.2016 (Annexure P/4) will be decided by the Commissioner, Municipal Corporation, Chandigarh within a period of three months from the receipt of the certified copy of the order, by passing a speaking order after taking into consideration all the averments made therein.

It is the responsibility of the petitioner to communicate the order passed by this Court to the respondents.

[M.M.S.Bedi]
Judge

27.01.2017
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No