

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.1030 of 2017

Date of decision: 27.07.2017

Brij Mohan

.... Petitioner

versus

State of Haryana & ors.

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mr. Arun Gupta, Advocate
for the petitioner.

Ms. Tanisha Peshawaria, DAG, Haryana.

Mr. Deepak Balyan, Advocate
for respondent Municipal Corporation.

Mr. Parmod Chauhan, Advocate for respondent No.4.

Mr. Vishal Gupta, Advocate for respondent No.5.

Rakesh Kumar Jain, J. (Oral)

This petition is filed seeking direction to the official respondents to remove the illegal Cellular Mobile/Communication Tower installed at S.B.S.Steel, Plot No.4-B, Nirmal Vihar, Sector 6-7, Link Road, Karnal.

Learned counsel appearing for Municipal Corporation, Karnal has filed the reply along with a show cause notice (Annexures R-4 & R-5) having been issued to respondent No.5 under Section 10 of Haryana (Communication and Connectivity) Bye Laws- 2013 framed in Haryana Municipal Corporation Act, 1994 as to why the tower should not be removed. Respondent No.5 has not yet filed reply to the said notice.

Mr. Vishal Gupta, Advocate for respondent No.5 has submitted that he is not aware that whether the reply has been filed or not.

Be that as it may, as far as the present writ petition is concerned, it has become infructuous as the anxiety of the petitioner was that Municipal Corporation is not taking any action to remove the tower whereas Municipal Corporation is taking steps for removal of the tower, therefore, the present petition is dismissed as rendered infructuous.

(RAKESH KUMAR JAIN)
JUDGE

27.07.2017
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1. Whether speaking/non-speaking?	Yes
2. Whether reportable?	Yes/No