

CWP No.12289 of 2017 (O&M)

[1]

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

**CWP No.12289 of 2017 (O&M)
Date of decision:December 18, 2017**

Malkiat Singh and others ...Petitioners

Versus

State of Punjab and others ...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Navin S. Bhardwaj, Advocate,
for the petitioners.

Mr. Abhyapal Singh Gill, AAG, Punjab.

Mr. Ashok Bazaz, Advocate,
for respondent no.2.

Rakesh Kumar Jain, J. (Oral)

This petition is filed by 26 petitioners, seeking a direction to the Municipal Corporation, Ludhiana to consider their applications in terms of the scheme called "Punjab Municipality (Vesting of Proprietary Rights) Scheme, 2016", notified by the Department of Local Government on 14.12.2016.

Learned counsel for the petitioners has submitted that the petitioners are occupying the municipal land(s) and had applied for the proprietary rights on the payment of compensation/damages to the Municipal Corporation, Ludhiana, in terms of the aforesaid scheme. Their basic grievance is that their applications have not been decided.

After notice, counsel for the Municipal Corporation, Ludhiana has filed their reply in which it is averred that the said scheme is not applicable to

the petitioners because it is meant for lessees/tenants and the petitioners are the encroachers who have lost upto the Supreme Court. He also submits that the applications, if any, had not been filed by the petitioners in time, as prescribed, and in any case, the decision has been taken by the Municipal Corporation, Ludhiana, rejecting the applications on the ground that the case of the petitioners is not covered by the aforesaid scheme. It is also submitted that the petitioners have been duly intimated regarding rejection order through registered post but they have not challenged that order.

Faced with this development, counsel for the petitioners prays for withdrawal of the present petition, in order to challenge the order of rejection, in accordance with law.

Dismissed as withdrawn.

Liberty is granted.

December 18, 2017
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(Rakesh Kumar Jain)
Judge

Whether speaking / reasoned	:	Yes/No
Whether reportable	:	Yes/No