

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP No.21190 of 2014
Date of decision:07.03.2017

Rajinder Parkash

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Harish Goyal, Advocate
for the petitioner.

Mr. Yatinder Sharma, Addl.A.G.Punjab.

Mr. Samarth Sagar, Advocate
for respondent No.3.

AMIT RAWAL J. (Oral)

Learned counsel for the petitioner submits that the petitioner has preferred the present writ petition against the impugned order rejecting the site plan.

However, this Court confronted Mr. Harish Goyal, with regard to provisions of Section 403 of The Punjab Municipal Corporation Act, 1976 which reads thus:-

“403 Power of Government to require production of documents:- The Government may at any time require the Commissioner-

- a) *to produce any record, correspondence, plan or other document in his possession or under his control;*
- b) *to furnish any return, plan, estimate, statement, account*

*or statistics relating to the proceedings, duties or works
of the Corporation or any of the municipal authorities;*

c) to furnish or obtain and furnish any report.”

Faced with the aforementioned situation, learned counsel for the petitioner seeks leave of the Court for withdrawal of the writ petition with liberty to avail the remedy in Civil Court provided that period spent in this Court may be condoned.

In view of the aforementioned, the present writ petition is ordered to be dismissed as withdrawn with liberty as prayed for. In case, remedy is availed within a period of one month, the period spent in this Court shall be deemed to be condoned.

(AMIT RAWAL)
JUDGE

March 07, 2017
savita

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No