

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

CWP No.22057 of 2014
Date of decision : 09.05.2017

Bimla

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

Present: Mr. S.K. Verma, Advocate for the petitioner.

Mr. Rajbir Singh, AAG, Haryana.

Mr. Jagdish Manchanda, Advocate for respondent No.3.

AMIT RAWAL, J. (Oral)

Short reply by way of affidavit on behalf of respondent No.2 has been filed today in the Court. Same is taken on record. Copy thereof has been supplied to the counsel opposite.

The petitioner has knocked the door of this Court seeking following relief:-

“For issuance of a writ in the nature of mandamus directing the respondents to pass the Map(Naksha) of the house constructed by the petitioner on her land measuring 19 Kanal 04 marla comprised in khewat No.420, Murabba No.88, Kila No.1/1, 1/2, 10/2, 11/1/1 situated in the revenue estate of Village Nirjan, Tehsil & District Jind, now within the limit of Municipal Council, Jind in terms of Section 201 and 203-A of the Haryana Municipal Act, 1973 as

petitioner has already deposited the house tax vide receipt No.79, book No.2513 dated 31.03.2014 w.e.f. 2010 to 31.03.2014 and even the Municipal Council has allotted the new house No.i.e. 2235/23 for the said house.”

Mr. S.K. Verma, learned counsel appearing on behalf of petitioner submits that owing to the inspection of the municipal limits of Village Nirjan in 2014, it has been found that constructed portion has fallen within the municipal limits of the Municipal Committee, District Jind. In this regard, he has submitted an application for regularisation of construction, much less, house tax has also been paid. These applications are Annexures P-4, P-5 and P-6 no action has been taken. In this regard, he has also taken the aid of the provision of Section 201, 203, 203-A of the Haryana Municipal Act, 1973

Mr. Jagdish Manchanda, learned counsel appearing on behalf of respondent(s) submits that aforementioned representation has been addressed to Deputy Commissioner, wherein it should have been to the Executive Officer, Municipal Committee.

I have heard learned counsel for the parties and appraised the paper book and of the view that no purpose would be served in keeping the matter pending.

I deem it appropriate to dispose of the writ petition by issuing direction to respondent(s) to consider the present writ petition as representation/application for sanctioning of the site plan by taking into consideration the provision of Section 203-A of the Haryana Municipal Act after affording opportunities of hearing to the petitioner.

Petitioner shall also at liberty to submit additional documents

and charges required for and thereafter decision shall be taken in accordance with law preferably within a period of four months from the date of receipt of certified copy of the order.

With the aforementioned observations, present writ petition stands disposed of.

09.05.2017

Pawan

**(AMIT RAWAL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No