

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CWP No.5906 of 2017

Date of Decision.22.03.2017

Pawan Kumar Garg

.....Petitioner

Vs

The State of Punjab and others

.....Respondents

Present: Mr. Baltej Singh Sidhu, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J. (ORAL)

The grievance of the petitioner is that vide notice dated 07.03.2017 (Annexures P-5), he was called upon to seek regularization of building of unauthorized marriage palace, failing which report to seal the resort/marriage palace on 10.03.2017 shall be sent to the Government. The fact remains that the petitioner by virtue of lease deed dated 08.12.2016 (Annexure P-1) is a lessee whereas the lessor is respondent No.3 i.e. The District Red Cross Society and the domain of seeking the regularization is within the District Red Cross Society i.e. the lessor/owner and not of the lessee and due to the fault of the lessor, the petitioner is unable to do the needful, though reserving the right to claim damages from the lessor for not taking the action.

He further submits that there is already a policy for seeking regularization and apparently, the case of the building in question falls within the aforementioned guidelines.

I have heard learned counsel for the petitioner, appraised the paper book and of the view that the approach of the petitioner is just and honest as he did not ask for de-sealing of the premises.

The writ petition is disposed of with a direction to respondent No.3 to submit an application in terms of Annexure P-4 to the authorities with requisite charges for seeking regularization of building of unauthorized marriage palaces within a period of 15 days from the date of receipt of certified copy of this order and in case the application is received for the aforementioned purpose, the Municipal Corporation Bathinda shall take a decision on the same within a period of 16 days thereafter, in view of the time schedule indicated in the policy, in essence, the entire exercise shall be done within a period of one month.

(AMIT RAWAL)
JUDGE

March 22, 2017
Pankaj*

Whether speaking/reasoned Yes

Whether reportable No