

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

CWP-10242-2018 (O&M)
Date of decision : 10.10.2018

M/s Disco Resort

...Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Joginder Singh Toor, Advocate for the petitioner.

Ms. Ambika Bedi, AAG, Punjab,
assisted by Mr. Sandeep Kumar, Planning Officer,
O/o District Town Planner, Fatehgarh Sahib.

Mr. SPS Tinna, Advocate for respondent No.2.

JITENDRA CHAUHAN, J.

CM-15366-CWP-2018

CM application is allowed as prayed for and the reply on behalf of respondent No.2 appended with the application is taken on record, subject to all just exceptions.

Main case

By way of the present writ petition filed under Article 226 of the Constitution of India, the petitioner has sought issuance of a writ in the nature of Mandamus directing the respondents to regularize the existing marriage palace of the petitioner after deciding his application dated 30.10.2017 (Annexure P-5) for renewal or release thereof, or in the alternative, de-sealing of the premises so that the same may be put to use for running some other business other than as marriage palace.

Learned counsel for the petitioner states that decision on his

application dated 30.10.2017 (Annexure P-5), wherein, he has specifically prayed that if the relief claimed by him is not possible, in that eventuality, the premises be de-sealed so that the same is utilized for some other purpose permissible under the rules/policy, has not been taken so far.

Learned counsel for respondent No.2 states that there is no record with regard to receipt of application (Annexure P-5) Even otherwise, any such application has to be submitted with an affidavit and certain formalities in accordance with the rules/procedure, have to be completed.

In the circumstances, learned counsel for the petitioner undertakes to move another application accompanied with the relevant documents as required under the law within ten days from today.

On the needful being done, if the documents tendered by the petitioner along with the application are found to be complete in all respects, then final view be taken by the competent authority within four weeks thereafter. In case, on consideration, the competent authority reaches to the conclusion that the benefit claimed by the petitioner is admissible to him, in such eventuality, the consequential relief be allowed within a period of four weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioner is not admissible to him or made out, in that case, a speaking order be passed, after affording opportunity of personal hearing to the petitioner.

Disposed of in the above terms.

10.10.2018
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No