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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1. CWP-13758-2017 (O&M)
Date of Decision: October 09, 2018

Kusha Advertising and Marketing and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

2. CWP-16851-2017 (O&M)

Association of Gurgaon Outdoor Advertisers and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

3. CWP-17050-2017 (O&M)

M/s Tycoon Events & Promotions Pvt.Ltd.

.....Petitioners

Versus

The State of Haryana and others

.....Respondents

4. CWP-22455-2017 (O&M)

M/s MGF Event Management

.....Petitioner

Versus

The State of Haryana and others

.....Respondents

5. CWP-22569-2017 (O&M)

M/s Kusha Advertising Pvt.Ltd.

.....Petitioner

Versus

The State of Haryana and others

.....Respondents

6. CWP-25347-2017 (O&M)

M/s All About Outdoor Media Com Pvt.Ltd.

.....Petitioner

Versus

State of Haryana through FC Govt. of Haryana and others

.....Respondents

7. CWP-15787-2017 (O&M)

M/s Adwel Advertising Service & another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE AMIT RAWAL**

Present: Mr.D.S.Patwalia, Sr.Advocate with
Mr.Nitin Kaushal, Advocate for the petitioners
in CWP-15787-2017 and CWP-13758-2017.

Mr.Rohit Kapoor, Advocate for the petitioners
in CWP Nos.22455, 22569, 17050 and 25347 of 2017.

Mr.Ashish Chopra, Advocate with
Ms.Rupa Pathania, Advocate for the petitioners in
CWP-16851-2017.

Mr.Samarth Sagar, Addl.AG, Haryana.

Mr.Lokesh Sinhal, Advocate for respondent No.3-MC-
Gurugram.

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RAJESH BINDAL, J.

This order will dispose of bunch of writ petitions bearing
Nos.13758, 16851, 17050, 22455, 22569, 25347 and 15787 of 2017.

Challenge in the present petitions is to the Notification dated
08.06.2017 issued by the State of Haryana whereby Haryana Municipal
Corporation Advertisement (Amendment) Bye-laws, 2017 have been
notified. Amended Byelaws provide for revised rates for display of
advertisements.

Learned counsel for respondent No.3-Municipal Corporation,
Gurugram submitted that after filing of the present petitions, the State has

notified fresh Advertisement Bye-laws on 28.03.2018, hence challenge to 2016 Bye-laws has been rendered infructuous. Affidavit dated 17.09.2018 of Ramesh Sharma, Executive Engineer (Advt.), Municipal Corporation, Gurugram has been filed. It has been stated therein that on the basis of 2016 Bye-laws, no recovery will be made till the issuance of Notification of Bye-laws on 28.03.2018. Demand of the advertisement fee will be made from the petitioners at the rates prevailing prior to the coming into force of 2016 Byelaws.

In response, learned counsel for the petitioners submitted that challenge to 2016 Byelaws may have been rendered infructuous, however, with reference to the demand raised on the basis of the rates prevailing prior to the Notification of 2016 Bye-laws, there may be certain factual issues on the basis of which demand is raised. The petitioners may be given liberty to approach the authority concerned in case of any such dispute. Any amount already paid by them should be adjusted against the amount determined to be payable.

Learned counsel for respondent No.3 does not have any objection if the aforesaid prayer of the petitioners is granted.

After hearing learned counsel for the parties, the bunch of writ petitions is disposed of as infructuous so far as challenge to the 2016 Advertisement Bye-laws is concerned, as the same stand superseded by 2018 Bye-laws. For the period prior to the Notification of 2018 Bye-laws, demand of advertisement fee shall be made by respondent No.3 at the rates prevailing prior to the Notification of 2016 Bye-laws. If there is any dispute

regarding the amount demanded with reference to calculation or adjustment

of the amount already paid, the petitioners shall be at liberty to take up the same before the Competent Authority.

The writ petitions are disposed of accordingly.

**(RAJESH BINDAL)
JUDGE**

October 09, 2018
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**(AMIT RAWAL)
JUDGE**

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| 1. Whether speaking/reasoned ? | Yes/No |
| 2. Whether reportable ? | Yes/No |