

CWP-15854-2018

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-15854-2018

Date of Decision: 12th July, 2018

M/s Jasdeep Kaur Chadha

...Petitioner

Versus

Municipal Corporation of Jalandhar & another

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Chetan Mittal, Senior Advocate with
Mr. Sangram Singh Saron, Advocate, for the petitioner.

Mr. S.P.S. Tanna, Advocate, for the respondents.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Reply on behalf of the respondents has been filed in Court,
which is taken on record, copy supplied to the counsel for the petitioner.

The basic objection which has been taken by the Municipal Corporation, Jalandhar, is that the landlord of the petitioner has not even applied for completion certificate as per Section 272 of the Punjab Municipal Corporation Act, 1976 and therefore, without the completion certificate, the premises could not have been occupied, what to say of use thereof. No work also could have been carried out in the said premises.

Learned Senior counsel for the petitioner submits that he has instructions from the landlord of the petitioner that the application for grant of completion certificate would be submitted by the landlord at an early date but not beyond 16.07.2018.

In case of submission of an application on or before 16.07.2018
by the landlord of the petitioner for grant of completion certificate complete

in all respects, the same shall be entertained by the respondents and after completing the formalities as per Section 272 of the Punjab Municipal Corporation Act, 1976 and the Rules/Instructions thereunder, petitioner would be intimated about the violations, if any, pointing out therein as to whether such violations are compoundable or not. This exercise be completed in all respects within a period of three days from the date of submission of application for completion certificate. It would be open to the petitioner to remove or deposit the compounding fees as the case may be, on removal of the violations or submission of the compounding fees, the Municipal Corporation, Jalandhar, would consider the same and pass a final order thereon within a further period of three days.

In case the completion certificate is issued to the landlord of the petitioner, the premises would be open to use by the petitioner for his work. Direction is also issued to the Municipal Corporation to open the premises for the purpose of inspection or removal of the violations, if any. It is clarified that prior to the issuance of the completion certificate, petitioner would not be allowed to work in the premises.

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

Copy of the order be given **dasti** to the counsel for the parties under the signatures of the Bench Secretary of this Court.

(AUGUSTINE GEORGE MASIH)
JUDGE

12th July, 2018

Harish

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