

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

CWP-26107-2018

Date of decision: 27.11.2018

Gaurav Garg

...Petitioner

Versus

Municipal Corporation, Faridabad and others

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Sanjay Verma, Advocate for the petitioner

JITENDRA CHAUHAN, J.

This writ petition under Articles 226/227 of the Constitution of India has been filed for issuance of direction to respondent Nos. 1 and 2 to initiate action under Section 261 of the Haryana Municipal Act, 1994 against respondent Nos.3 and 4 for raising illegal construction of the first floor of the shop without sanction of site plan.

Learned counsel for the petitioner states that at this stage, he would be satisfied, if a direction is issued to respondent No.2- Commissioner, Municipal Corporation Faridabad to consider and decide the legal notice dated 16.8.2018 (Annexure P-9) expeditiously.

Notice of motion.

At the asking of the Court, Mr. Kapil Bansal, DAG, Haryana accepts notices on behalf of the respondent-State. A complete set of paper book has been supplied to him in the Court.

In view of the above, without advertng to the merits of the

case, the present petition is disposed of with a direction to respondent No.2- Commissioner, Municipal Corporation Faridabad to consider and decide the legal notice dated 16.8.2018 (Annexure P-9) within three months from the date of receipt of the certified copy of this order. 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 to him, within a period of six weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioner is not admissible or made out, in that case, a speaking order be passed in the matter.

27.11.2018
gsv

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No