

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

**CWP No. 26680 of 2018
Date of decision: 17.10.2018**

Balbir Kumar

... Petitioner

Versus

Union of India and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI,
CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

Present: Mr. Kanwaljit Singh, Sr. Advocate, with
Mr. ADS Jattana, Advocate
for the petitioner.

KRISHNA MURARI, C.J. (Oral)

Aggrieved by a notice dated 08.10.2018 for demolishing the illegal construction, alleged to have been raised without there being any approved site plan, the petitioner has approached this Court challenging the same.

It is contended that though it is termed as notice but, in fact, it directs that illegal construction will be demolished within three days. It is further submitted as no sufficient time was given to file comprehensive/effective reply to the notice, the petitioner submitted a reply to the said notice on 10.10.2018 in a haste. It is also submitted that no opportunity of personal hearing is being afforded to the petitioner.

Notice of motion.

Mr. Arun Gosain, Central Government Counsel, accepts notice on behalf of respondents No.1, 3 and 6; Ms. Monica Chhibber Sharma, Sr. DAG, Punjab, accepts notice on behalf of respondents No.2, 4 and 5; and Mr. Tanvir Attariwala, Advocate, accepts notice on behalf of respondent No.7.

Learned counsel appearing for respondent No.7 has fairly stated before us that the impugned notice dated 8.10.2018 shall be withdrawn during the course of the day and thereafter a fresh notice would be issued giving at least two weeks' time to file reply and a decision would be taken after fixing a date for appearance and hearing of the petitioner.

In view of the aforesaid statement made by learned counsel appearing for respondent No.7, the petition has lost its efficacy and is rendered infructuous.

Accordingly, this petition stands disposed of.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

October 17, 2018
AK Sharma

Whether speaking / reasoned:	YES
Whether Reportable:	