

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

CWP-29671-2018

Date of decision: 22.11.2018

Pawan Kumar and another

...Petitioners

Versus

Municipal Corporation, Ludhiana and another

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr.Saurabh Kapoor, Advocate for the petitioners

JITENDRA CHAUHAN, J.

This writ petition under Articles 226/227 of the Constitution of India has been filed for issuance of direction to the respondents to decide the replies dated 9.9.2016, 4.11.2016, 2.11.2018 (Annexures P-11, P-13 and P-15) and legal notice/ representation dated 14.11.2018 (Annexure P-16) submitted by the petitioners and restraining the respondents from demolishing the building/ property of the petitioners situated at New Shiv Puri, Ludhiana.

Learned counsel for the petitioners states that at this stage, he would be satisfied, if a direction is issued to respondent No. 1- Commissioner, Municipal Corporation, Ludhiana to consider and decide the legal notice/ representation dated 14.11.2018 (Annexure P-16) expeditiously.

Notice of motion.

At the asking of the Court, Mr.Vikas Mohan Gupta, Addl.AG,

Punjab 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 adverting to the merits of the case, the present petition is disposed of with a direction to respondent No.1- Commissioner, Municipal Corporation, Ludhiana to consider and decide the legal notice/ representation dated 14.11.2018 (Annexure P-16) within six weeks 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 petitioners is admissible to them, in such eventuality, the consequential relief be allowed to them, within a period of six weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioners is not admissible or made out, in that case, a speaking order be passed in the matter.

22.11.2018
gsv

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No