

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

CWP No. 9105 of 2018

Date of decision:-10.05.2018

M/s Sky ADS Digital LLP

---Petitioner.

Versus

Municipal Corporation of Gurugram

---Respondent.

CORAM: HON'BLE Mr. JUSTICE AVNEESH JHINGAN

Present:- Mr. Akshay Bhan, Sr. Advocate, with
Mr. Jai Sahai Endlaw, Advocate and
Mr. Viraj Gandhi, Advocate,
for the petitioner.

Mr. Lokesh Sinhal, Advocate,
for the respondent.

AVNEESH JHINGAN J. (Oral)

The present writ petition has been filed for quashing of order dated 23.03.2018 (Annexure P1) passed by the respondent whereby the representation of the petitioner was decided.

The petitioner in the writ petition is limited liability partnership entity and the respondent is Municipal Corporation of Gurugram.

The petitioner entered into agreement with the M/s DLF Cybercity Developers Pvt. Limited for utilization of the space underneath Building No.10, DLF Cyber City, NH-8, Gurugram. The petitioner was permitted by M/s DLF Cybercity Developers Limited to display Outdoor Media Device (OMD) including Publicity Material etc. The petitioner made a representation dated 14.03.2018 to the respondent. The representation was made, if any, fee was payable to the Municipal Corporation for advertisement at the aforesaid sites.

The said representation was decided vide order dated 23.03.2018. It was held that Rs.430 per Sq. Mtrs. would be the license fee for outdoor Media Devices (OMDs) installed under the roof.

Aggrieved of the said order the present writ petition has been filed for quashing the same.

On notice, learned Counsel for the respondent states that decision dated 23.03.2018 was taken under Haryana Municipal Corporation Advertisement Bye Laws 2016. The said bye laws have been repealed and Haryana Municipal Corporation Advertisement Bye Laws 2018 have come into force vide notification dated 28.03.2018. He states that the decision no longer holds the field. The petitioner will have to apply fresh for permission under the 2018 Bye Laws.

Since the grievance in the writ petition was qua Annexure P1 which no longer exists. The petition is being disposed of as infructuous. None of the issues raised in the writ petition is decided. Even ambit of 2018 Bye Laws is also kept open. If the petitioner applies for permission under the 2018 Bye Laws the respondent would dispose of the said application within ten days of receipt of such application. In case any grievance survives after the decision on the application the petitioner would be at liberty to avail appropriate remedy.

10.05.2018

Riya Grover

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No