

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

LPA no. 236 of 2018 (O&M)

Date of Decision : 09.02.2018

Notified Area Committee Naya Gaon

....Appellant(s)

Versus

Anandi Devi and others

...Respondent(s)

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE RAJBIR SEHRAWAT**

**Present : Mr. Akshay Bhan, Sr. Advocate with
Mr.R.S.Pandher, Advocate for the appellant(s)**

**Mr.A.K.Chopra, Sr. Advocate with
Mr. Akshit Chaudhary, Advocate for respondent**

MAHESH GROVER, J.(ORAL)

The petitioners impugn the order dated 2.5.2017 where the following directions have been given by the learned Single Judge and the solitary ground raised before us to impugn the said judgment is that the necessary funds have to flow from the State of Punjab:-

“Vide notification dated 18.10.2006 (Annexure P-1), the Department of Local Government has already included part of the area of aforementioned villages within the ambit of Nagar Panchayat/Municipal Committee, Naya Gaon. The rest of the area of villages Nada and Karoran should also be included in the Nagar Committee/ Nagar Panchayat and also provide basic amenities. The order of the Additional Secretary to Local Government has already given a fact that the land for setting up sewerage treatment plant has already been

notified under Section 12 of the New Act. Let the necessary steps be taken for issuance of declaration and the sewerage treatment plant should be finalized by inviting the tenders including the setting up the work of STV. The development plan/master plan should also be published for the purpose of for bringing, the afore-mentioned villages within the Nagar Panchayat.”

On due consideration, we are of the opinion that the direction given would only enhance public interest as the residents of the area would benefit from development. It is no secret that these areas fall in close proximity to the city Chandigarh. Any hap-hazard development could not be in the interest of the city itself.

In view of above, instant petition deserves dismissal specially when it is barred by an inordinate delay of 238 days which has not been explained sufficiently.

At this stage, learned counsel for the petitioner states that he may be permitted to file a review petition before the learned Single Judge.

Hence, instant petition is disposed of with liberty to the petitioner to avail any other remedy available to him in law.

(Mahesh Grover)
Judge

(Rajbir Sehrawat)
Judge

09.02.2018

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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No