

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

CWP No.14473 of 2019

Date of Decision : 19.11.2019

Sunil Kumar

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

...

Present: Mr.Raj Kumar Kakkar, Advocate
for the petitioner.

...

TEJINDER SINGH DHINDSA, J.(ORAL)

As per pleadings on record petitioner claims to be a tenant of Shop No.66 situated outside Multani Gate, Ferozepur City. The third respondent i.e. Municipal Council, Ferozepur is stated to be the owner of the shop. It is averred that the electricity meter in the said shop was installed in the name of Puran Chand (since deceased), father of the petitioner.

Counsel submits that earlier in point of time Puran Chand (deceased) was paying rent to Municipal Council. Subsequent to his death on 10.02.2018 petitioner is continuously paying rent to the Municipal Council.

The State of Punjab is stated to have notified the Punjab Municipality (Vesting of Proprietary Rights) Amendment Scheme, 2017 and as per which tenants or licensees of Municipal properties were eligible to purchase the Municipal properties subject to fulfilment of terms and conditions of the scheme.

The short grievance raised in the instant petition is that an application dated 13.04.2018 submitted by the petitioner before the competent authority under the scheme i.e. Sub Divisional Magistrate, Ferozepur is not being dealt with and the same is still pending final decision.

In view of such limited grievance raised, I deem it appropriate to dispose of the instant writ petition with a direction to respondent No.2/competent authority that in case the application dated 13.04.2018 (Annexure P-31) is still pending as of date, the same be decided in accordance with law within a period of three months from the date of receipt of certified copy of this order.

It is, however, clarified that this Court has not examined the claim of the petitioner on merits and without even going into the question as to whether the petitioner would fall within the definition of “occupier” under the Punjab Municipality (Vesting of Proprietary Rights) Amendment Scheme, 2017.

19.11.2019
dss

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No