

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

**RSA No.2964 of 2010 (O&M)
Date of Decision:21.02.2019**

Municipal Council Rohtak through its Executive Officer

....Appellant

Versus

Lalit Kumar

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Rajesh Lamba, Advocate for the appellant.
Mr.Saurabh Girdhar, AAG, Haryana.

ANIL KSHETARPAL, J.(ORAL)

State of Haryana has informed the Court that the sale in favour of Mayawati daughter of Dayal Ram has been approved. This takes care of question of title of respondent-plaintiff.

As regards question as to whether the building has been constructed without seeking permission, the learned first appellate court has noticed that Municipal Committee itself passed a resolution dated 24.01.2002, Ex.P-9 regularizing constructions on payment of compounding fee as noticed in para 10 of the judgment.

Hence, with regard to the construction, the plaintiff has made an application on which resolution has already been passed, however, later on Municipal Committee resiled.

Keeping in view the aforesaid facts, Municipal Commissioner would reconsider the request with regard to compounding of the

construction in view of the order of approval passed by the State of Haryana.

The regular second appeal is disposed of.

(ANIL KSHETARPAL)
JUDGE

21.02.2019
raman

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No

