

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

CWP-3870-2018 (O&M)
Date of decision : 11.04.2019

Amandeep Singh

...Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Amit Dhawan, Advocate,
for the petitioner.

Ms. Maloo Chahal, DAG, Punjab.

Mr. H.K. Aurora, Advocate,
for respondent Nos.2 and 3.

Mr. Vaibhav Narang, Advocate,
for respondent No.4.

JITENDRA CHAUHAN, J. (Oral)

Prayer in the instant petition filed under Articles 226/227 of the Constitution of India is for issuance of writ of Mandamus directing respondent Nos.1 to 3 to take action against respondent No.4 who is illegally running a shop in the residential area.

Heard.

This Court on 20.04.2019, noticed as under:-

“Learned counsel appearing on behalf of respondent No.4 states that commercial activity is no longer being carried out from the premises of respondent No.4. Learned counsel for respondent No.4 is directed to furnish a specific affidavit in this regard.

Post again on 11.04.2019.”

Today, there is a change in stance to state that respondent No.4 has necessary permission to carry out commercial activity from the residential area. The change of stance at this stage cannot be accepted particularly, when the area in question is a residential area.

This is not in dispute that the premises owned by respondent No.4 falls within the residential area. That being so, the respondent No.2 is directed to ensure that no commercial activity is carried out in the premises in question and action as per law be initiated against the officers who allegedly accepted licence fee from respondent No.4 for allowing commercial activity in the residential area.

Disposed of.

11.04.2019
atulsethi

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No