

RSA-6455-2017 (O&M)

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

**RSA-6455-2017 (O&M)
Date of decision : 01.04.2019**

Surinder Kumar

... Appellant

Versus

Municipal Corporation Jalandhar and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Sandeep Arora, Advocate
for the appellants.

AMIT RAWAL, J. (ORAL)

The present suit seeking injunction against the Municipal Corporation, for demolition of the house, allegedly allotted by the Society, was without any cause of action as there was no notice of demolition and in case, such notice had been issued, the remedy for the appellant-plaintiff was to file the appeal as per the provisions of Section 269 (2) of the Punjab Municipal Corporation Act.

Mr. Sandeep Arora, learned counsel appearing on behalf of the appellant-plaintiff submitted that no such notice has been issued.

Keeping in view the aforementioned facts, the findings of fact and law arrived at by the Courts below cannot be said to be suffering from illegality and perversity, much less, no substantial question of law arises for determination. No ground is made out for determination. Accordingly, the present second appeal is dismissed.

01.04.2019
Yogesh Sharma

**(AMIT RAWAL)
JUDGE**

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**