

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

263

**CM No.9736-CWP of 2018 in/and
CWP No.1348 of 2017**

Date of decision: 01.05.2019

M/s Adwel Advertising Service & Another

...Petitioners

Vs.

The Municipal Corporation, Gurgaon Haryana & Others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. D.S. Patwalia, Senior Advocate with
Mr. Nitin Kaushal, Advocate
for the petitioners.

Mr. Lokesh Sinhal, Advocate
for the applicant-respondent(s).

JITENDRA CHAUHAN, J.(ORAL)
CM No. 9736-CWP of 2018

The present application has been filed on behalf of applicant/respondent(s) under Section 151 CPC for dismissing the writ petition as having been rendered infructuous in view of subsequent notification dated 28.03.2018 whereby Haryana Municipal Corporation Advertisement Byelaws, 2018 have been notified.

Learned counsel for the petitioner(s) states that he has no objection in case the present application is allowed.

In view of the above, the present application is allowed and with the consent of the parties the main case is taken on today's board.

Main Case

Challenge in the present petition is to the show cause notice dated 19.01.2017 (Annexure P-1) for removal of outdoor advertisements being displayed by the petitioner.

Learned counsel for the applicant/respondent(s) submits that Haryana Municipal Corporation Byelaws, 2016 have been repealed by notifying the Haryana Municipal Corporation Advertisement Byelaws, 2018 vide notification dated 28.03.2018 (Annexure P-1) and since the new Bye-laws of 2018 have been notified, the present writ petition has been rendered infructuous. This factual position has not been disputed by the learned counsel for non-applicant/petitioners.

Learned counsel for the respondent(s) further makes a statement at bar that the charges as per 2016 Haryana Municipal Corporation Bye-laws shall be applicable and the charges prevailing prior to 2016 shall be recovered from the petitioner(s) upto 28.03.2018 till the commencement.

In this view of the matter, the present petition is dismissed as having been rendered infructuous.

(JITENDRA CHAUHAN)
JUDGE

May 01, 2019
Poonam Sharma

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No