IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.3328 of 2020
Date of decision: 06.02.2020

Haryana Pradesh Congress Committee

.....Petitioner

V/s.

State of Haryana and others

.....Respondents

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: - Dr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Raghav Gulati, Advocate and
Ms. Sudha, Advocate, for the petitioners.

Mr. B.R. Mahajan, Advocate General, Haryana with
Mr. Rajesh Gaur, Additional Advocate General, Haryana,
for the respondents.

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Sanjay Kumar, J. (Oral)

Haryana Pradesh Congress Committee, the petitioner herein, assails the action of the Municipal Authorities of Gurugram in seeking to proceed with the removal/demolition of its office premises. A further prayer is made to keep in abeyance the communication dated 31.01.2020 (Annexure P-5) of the Commissioner, Municipal Corporation, Gurugram.

It is the case of the petitioner that it was addressed a notice under Section 408-A of the Haryana Municipal Corporation Act, 1994, and that a final order is yet to be passed thereon. While so, the petitioner apprehends that the Municipal Authorities would proceed further in the matter, in the light of Annexure P-5 dated 31.01.2020. Thereby, the

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Commissioner had requested the District Magistrate, Gurugram, and the Commissioner of Police, Gurugram, to take necessary steps for removal/demolition of certain encroachments at Kaman Sarai, Gurugram, on 06.02.2020.

As the petitioner's office is also at the same location, the petitioner apprehends that without passing a final order, the Municipal Authorities are planning to proceed against it also. However, the learned Advocate General, State of Haryana, having secured instructions in the matter, informed this Court that the communication dated 31.01.2020 (Annexure P-5) has nothing to do with the petitioner and that the case of the petitioner is still under consideration.

In that view of the matter, the apprehension of the petitioner is without basis.

The writ petition is accordingly dismissed, recording the stand of the State Authorities.

No order as to costs.

(SANJAY KUMAR)
JUDGE

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whether speaking/non speaking : *Yes/no*
whether reportable/non reportable : *Yes/no*

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