

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

RSA-1430-2013(O&M)

Date of decision: 28.01.2020

Municipal Corporation Ludhiana

.....Appellant

Versus

Sewa Singh

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Ashok Kumar Bazaz, Advocate for the appellant

Mr. Kanwaljit Singh, Sr. Advocate with
Mr. Gautam Sehgal, Advocate for the respondent

ANIL KSHETARPAL, J. (ORAL)

Sh. Satish Kumar, Assistant Town Planner, Municipal Corporation, Ludhiana alongwith his counsel is present in the Court and submits that Municipal Corporation, Ludhiana has no objection if the present appeal is disposed of in terms of judgment passed by Additional District Judge in Civil Appeal No. 66 dated 11.3.2013 decided on 24.9.2014, which reads as under:-

“15. Before parting with this judgment, this Court made it clear that if any demarcation is carried out by the respondent corporation of Khasra No. 102 and after the demarcation conducted by the respondent corporation as per rules, if it comes to the knowledge of the respondent corporation that any construction raised by the appellant falls under the khasra No. 102, in that eventuality, the respondent corporation is at liberty to remove the same, as this

judgment has only decided the possession of the suit property of the appellant falls in Khasra No. 98 and 98/1.”

He has further stated that he is making the aforesaid statement after consultation with the Commissioner of Municipal Corporation, Ludhiana.

Learned counsel for the respondent has no objection thereto.

In view of the aforesaid facts and the consensus arrived at, the appeal is disposed of in the same manner and in similar terms. Judgment and the decree passed by the Courts below shall stand modified.

Disposed of.

28.01.2020

rekha

Whether speaking/reasoned

Whether Reportable

(ANIL KSHETARPAL)

JUDGE

Yes / No

Yes / No