

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.9376 of 2021

Date of Decision: 03.05.2021

Ashwani Kumar

....Petitioner(s)

Versus

State of Punjab and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Rajesh Verma, Advocate for the petitioner.

Through Video Conferencing

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Article 226 of the Constitution of India with a prayer for issuance of writ in the nature of mandamus for directing the respondents to sanction the house plan of the petitioner for plot No.325 A situated at Sector-124, Sunny Enclave, Kharar, Mohali.

The learned counsel for the petitioner has submitted that despite the fact that the petitioner has paid the entire money and the receipts have also been annexed alongwith the present petition, the Municipal Council, Kharar has not taken any action on his request for sanction of plan. He further submitted that vide Annexure P-5 the petitioner has even served a legal notice in this regard but no action has been taken on the same.

Notice of motion to respondent Nos.1 and 2 only.

Mr. Abhay Pal Singh Gill, learned Assistant Advocate General, Punjab accepts notice on behalf of respondent No.1 and Mr. Sanjeev Soni, Advocate accepts notice on behalf of respondent No.2.

Mr. Sanjeev Soni, learned counsel for respondent No.2 states that he may be granted some time for deciding of the legal notice, which the petitioner has given to the Municipal Council vide Annexure P-5 and the Municipal Council undertakes to pass a detailed speaking order in this regard.

Therefore, considering the totality and circumstances of the present case and the statement made by the learned counsel for Municipal Council, Kharar, the present petition is disposed of with a direction to the Executive Officer, Municipal Council, Kharar to consider and pass an order on the legal notice dated 02.02.2021 (Annexure P-5) in accordance with law within a period of 3 months from the date of receipt of a certified copy of this order.

It is made clear that nothing contained in this order shall be construed any observation on the merits of the case.

03.05.2021

rakesh

(JASGURPREET SINGH PURI)

JUDGE

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No