

Sr. No. 205

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

**CR No.1256-2021
Date of decision: 24.09.2021**

Mangat @ Mangtu

...Petitioner

Versus

Surinder Kumar and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Ravi Kant Sharma, Advocate,
for the petitioner.

Mr. Dishant Rishi, Advocate,
for respondent No.1.

Mr. Prateek Mahajan, Advocate,
for respondent No.2- MC.

ARUN MONGA, J. (ORAL)

Short Reply by way of affidavit dated 23.09.2021 on behalf of respondent No.2-Municipal Committee, Beri, District Jhajjar has been tendered through email, which is taken on record.

2. Learned counsel for respondent No.2, on instructions, submits that area in question, where the proposed construction/renovation is to be carried out by the petitioner, falls on the private property. Said area is not being put to use by the Municipal Committee for any public purpose.

3. Having heard the rival contentions, it is made clear that petitioner shall be at liberty to carry out renovation/ construction at his own risk and costs subject to final outcome of suit. In case, the area in question is determined to fall under the ownership of the Municipal Committee and/or meant for public use, the petitioner shall then restore

the said area to its original state at his own costs. In the premise, impugned interim orders dated 17.05.2021 (Annexure P-6) and 04.06.2021 (Annexure P-7) are set aside.

5. Disposed of accordingly.

24.09.2021

vandana

(ARUN MONGA)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No