

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

CWP-15110-2021 (O&M).
Date of Decision:-31.08.2021.

Manish Kumar and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA
HON'BLE MR. JUSTICE VIKAS BAHL**

Present: Mr. S.S. Dinarpur, Advocate and
Mr. Ranjit Saini, Advocate for the petitioners.

Mr. Sandeep Moudgil, Advocate for respondent Nos.3 and 4.

TEJINDER SINGH DHINDSA, J. (Oral)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic COVID-19 situation and as per instructions.

Challenge in the instant petition is to the notices carrying even date i.e., 18.01.2021 (Annexures P-16 to P-37) and to a subsequent set of notices dated 30.07.2021 (Annexures P-39 to P-65), whereby, respondents have called upon the petitioners to remove the construction effected by the petitioners within a period of seven days and failing which action under Section 261 of the Haryana Municipal Corporation Act, 1994, would be initiated.

An advance copy of the petition had already been served upon the respondents.

Mr. Sandeep Moudgil, Advocate, has entered appearance on behalf

of contesting respondent Nos.3 and 4.

The conceded position is that the petitioners have responded to the first set of notices dated 18.01.2021 in terms of filing a joint reply dated 22.02.2021 (Annexure P-38).

Mr. Moudgil, Advocate, has been candid in conceding that the reply has not been considered while issuing the second set of notices dated 30.07.2021 (Annexure P-39 to P-65).

Under such factual situation, we are not inclined to examine the validity/legality of the impugned show cause notices.

Mr. Moudgil, Advocate, submits that a final view in the matter would be taken in terms of passing a detailed speaking order and after taking into consideration the reply submitted by the petitioners at Annexure P-38 within a period of two months from today.

Statement is accepted.

No further directions are required to be passed.

Writ petition stands disposed of.

Pending application(s), if any, shall also stand disposed of.

It is clarified that we have not examined the issue on merits.

(TEJINDER SINGH DHINDSA)
JUDGE

(VIKAS BAHL)
JUDGE

August 31, 2021.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.