

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

CWP-15111-2021

Date of Decision: 19.08.2021

... PETITIONERS

V/S

STATE OF HARYANA AND OTHERS

... RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA
HON'BLE MR. JUSTICE VIVEK PURI**

Present: Mr. S.S.Dinarpur, Advocate for the petitioners.

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

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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.

Petitioners are aggrieved of the show-cause notices carrying even date i.e. 18.1.2021 (Annexures P-18 to P-24) as also subsequent notices dated 30.7.2021 (Annexures P-27 to P-38) issued by the Municipal Corporation, Hisar to remove the construction effected by them adjacent to Delhi-Sirsa road (in Sundar Nagar) by terming the same to be illegal.

Perusal of the notices dated 18.1.2021 (Annexures P-18 to P-24) and which are identically worded, petitioners have been called upon to show cause whether they have at any stage sought approval as regards the construction from the Corporation or from any other Department.

It appears that petitioners have submitted replies which have been placed on record at Annexures P-25 and P-26 taking a categorical stand that their constructions stand regularized from the concerned District Town Planner.

We find that in the subsequent notices dated 30.7.2021 appended as Annexures P-27 to P-38 the ground taken in the reply has not even been adverted to much less dealt with.

Petitioners are before us fearing demolition.

An advance copy of the petition has been served upon the respondents.

Mr. Sandeep Moudgil, learned counsel appears for Municipal Corporation, Hisar for respondent Nos. 3 and 4 and after obtaining instructions from Mr. Rajinder Saini, Executive Officer, Municipal Corporation, Hisar makes a statement that a final decision with regard to the construction raised by the petitioners and the fate thereof would be taken in terms passing a reasoned order after taking into consideration the replies that have been submitted by the petitioners to the initial notices dated 18.1.2021 (Annexures P-18 to P-24) within a period of three months from today.

Statement is accepted.

Demolition of the construction of the petitioners which is the subject matter of the impugned notices dated 18.1.2021 (Annexures P-18 to P-24) would not take place meanwhile and would be subject to the outcome of the final order that is now to be passed as per undertaking furnished by the respondents.

Disposed of.

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

(TEJINDER SINGH DHINDSA)
JUDGE

19.08.2021
Janki

(VIVEK PURI)
JUDGE

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