

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

119 (PROCEEDINGS THROUGH V.C.)

Civil Writ Petition No.19887 of 2021
Date of Decision: September 29th, 2021

Mam Chand

...Petitioner

Versus

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present: Mr. Sanjiv Gupta, Advocate
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Learned counsel for the petitioner, when being confronted with the fact that there is a statutory appeal provided under Section 261 (2) of the Haryana Municipal Corporation Act, 1994 against the order of demolition passed under Section 161 (1), prays for withdrawal of the present writ petition to avail of the said remedy. He, however, prays that ten days' time may be granted to the petitioner to file an appeal and till then *status quo* with regard to construction at the site be maintained.

Notice of motion.

On the asking of the Court, Mr. Raman Sharma, Additional Advocate General, Haryana, accepts notice on behalf of all the four respondents.

Counsel for the petitioner states that copy of the writ petition has been emailed to Mr. Raman Sharma, Additional Advocate General, Haryana, just now.

We dispose of the present writ petition as withdrawn with liberty as prayed for by the counsel for the petitioner.

Status quo with regard to construction, as it exists today, which is the subject matter of the impugned order dated 06.09.2021 (Annexure P-5) vide which demolition has been ordered by the District Town Planner, Municipal Commissioner, Manesar, be maintained for ten days.

This order is subject to the petitioner preferring an appeal before the competent authority as provided under Section 261 (2) of the Haryana Municipal Corporation Act, 1994.

It is made clear that this order shall operate only for ten days, rest of the proceedings shall be governed as per the provisions of the Haryana Municipal Corporation Act, 1994.

Copy of this order be given ***dasti*** to the counsel for the petitioner under signatures of Bench Secretary of this Court.

(AUGUSTINE GEORGE MASIH)
JUDGE

September 29th, 2021
Puneet

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No