

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

ASHOK KUMAR
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CWP-35588-2019 (O&M)

Date of decision: 03.08.2021

SUNITA RANI

..Petitioner

Versus

STATE OF UT CHANDIGARH AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Naveen Kumar, Advocate for
Mr. Ajay Sangroha, Advocate for the petitioner.

Mr. Suman Jain, Advocate for the Municipal Corporation, Chd.

ANIL KSHETARPAL, J (Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

Through this writ petition, the petitioner prays for a writ in the nature of mandamus directing respondent No.1 to 5 to decide representations dated 26.09.2019, 26.10.2019 and 12.11.2019.

In essence, the petitioner prays for issuance of directions to the Municipal Corporation, Chandigarh, to release water and sewerage connection.

Mr. Suman Jain, the learned counsel appearing for the Municipal Corporation, Chandigarh, submits that the moment, the petitioner completes the formalities as specified in Annexure P4, the water and sewerage connection shall be released.

The formalities as specified in Annexure P4, read as under:-

1. Attested copy of NOC issued by XEN, MC Road in case of Chandigarh/AC/Joint CMC, MC, Chandigarh in case of Manimajra.
2. Receipt of payment of Road Cut restoration charges, if involved.
3. Receipt of sewerage charges (deposit in the office of EE, MCPH-4, in case of Chandigarh).

The learned counsel representing the petitioner, while drawing the attention of the Court to Annexure P1, submits that the petitioner did make a request for disclosing the total amount of charges so as to enable him to deposit. However, there was no response.

The learned counsel, representing the Municipal Corporation, undertakes that if the petitioner complies with the requirements, as noticed above, the water and sewerage connection shall be released forthwith.

Keeping in view the aforesaid facts, the writ petition is disposed of by directing the Municipal Corporation, Chandigarh, to intimate the petitioner, the total amount which is required to be deposited for release of water and sewerage connection within a period of one week from today, by a registered post. On receipt of the intimation, the petitioner shall be required to complete the formalities within a period of one month thereafter. Once the formalities have been completed, the respondent-Corporation shall release the connection within a period of 15 days thereafter. However, the respondent-Corporation shall be entitled to reject the request for release of connection, if the building has been constructed in an unauthorised or illegal colony.

The petitioner would have liberty to file an application for revival, if required.

All the pending miscellaneous applications, if any, are also disposed of.

03.08.2021
ashok
Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE