

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

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**CWP-2628-2022(O&M)
Date of decision:11.02.2022**

Pooja Sondhi

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Sandeep Wadhawan, Advocate,
for the petitioner.
Ms. Anu Chatrath, Addl.A.G., Punjab.**

ANIL KSHETARPAL, J (Oral)

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

The petitioner prays for issuance of a writ in the nature of mandamus to direct the respondents to permit her to open a shop and take a decision on the One Time Settlement for compounding the alleged building violation.

The petitioner claims that she along with her husband purchased the shop in question from their vendors on 18.05.2020. This shop is alleged to have been sealed by the officials of the Municipal Corporation, Amritsar.

The learned counsel representing the petitioner while drawing the attention of the Court to the Punjab One-time Voluntary Disclosure and Settlement of Building constructed in Violations of The Building Bye-laws Act, 2019 (hereinafter referred to as 'the 2019 Act') and the stand taken by the respondents while undertaking to take a decision on the applications for One Time Settlement, contends that the authorities are sitting over the matter while depriving the petitioner's right to use her property.

The sealing of an unauthorized construction is only a preliminary step. The competent authority is required to proceed further in the matter. The petitioner is stated to have already applied for compounding of the building violation in terms of the 2019 Act.

Keeping in view the aforesaid facts, the writ petition is disposed of with a request to the Commissioner concerned of Municipal Corporation to finally decide the pending request for One Time Settlement. If the Commissioner is of the view that he is not the competent authority to decide such matter, it shall be his responsibility to forward the file to the competent authority.

Let a decision on the matter be taken within a period of 30 days from today.

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

February 11, 2022
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(ANIL KSHETARPAL)
JUDGE

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