

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

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CWP No. 5870 of 2022

Date of Decision:- 17.08.2022

LAUNGLATA THAKRAN

....Petitioner

vs.

STATE OF HARYANA AND OTHERS

....Respondents

BEFORE :- HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr.Neeraj Saini, Advocate,
for the petitioner.

Mr. B.R.Mahajan, Advocate General, Haryana with
Mr. Samarth Sagar, Addl.A.G., Haryana.

Sudhir Mittal, J. (Oral)

Ramchander Thakran was the owner of the property in dispute. He died on 18.07.2011. Before his death, he had executed a registered will in favour of the petitioner. Show cause notice dated 08.07.2011 was issued to said Ramchander Thakran for having raised illegal construction. Despite opportunity having been granted to him, none appeared on the date fixed nor any reply was submitted. Last opportunity was granted vide notice dated 20.02.2012, yet, no reply was submitted. Thus, the premises was sealed vide order dated 11.09.2020. Appeal filed by the petitioner against the said order has been dismissed.

Learned counsel for the petitioner has submitted that no notice was ever issued to the petitioner. Notice issued to a dead person is a nullity. Thus, impugned order deserves to be set aside. One opportunity may be granted to the petitioner to plead her case.

The facts noticed aforementioned clearly show that the first notice was

said notice was not received by him and, thus, the argument that notice was issued to a dead person falls flat. Subsequent notices were also issued in the name of said Ramchander Thakran as the petitioner did not get her name entered in the Municipal records as owner. Impugned order has been passed after nine years of issuance of notice. Sufficient time was available to the petitioner to plead her case before the concerned authority but she failed to put in appearance or file a reply. Thus, the impugned order does not call for any interference.

The writ petition is meritless and is dismissed.

August 17, 2022
poonam

(SUDHIR MITTAL)
JUDGE

Whether Speaking/Reasoned **Yes**

Whether Reportable **No**