

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

120

**CWP no.11720 of 2022
Date of Decision:27.05.2022**

Ranjit Singh and others

..... Petitioners

Versus

Union of India and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH
HON'BLE MR. JUSTICE LALIT BATRA**

Present: Mr. Ashish Aggarwal, Sr. Advocate, with
Mr. Kulwant Singh, Advocate,
for the petitioners.

Mr. Satya Pal Jain, Addl. Solicitor General, with
Mr. Karan Kumar Jund, CGC,
for the respondent-UI.

Mr. Anil Mehta, Sr. Standing Counsel, with
Mr. Sumeet Jain, Addl. Standing Counsel,
U.T. Chandigarh.

AMOL RATTAN SINGH, J. (ORAL)

Vide this petition, the petitioners challenge the notice dated 14.05.2022 (copy Annexure P-10), by which the respondents have “informed” that unauthorised construction/kabarries/*Jhuggies* etc. raised over agricultural land in the periphery area of village Maloya, being in violation of the Punjab New Capital (Periphery) Control Act, 1952, (as applicable to U.T. Chandigarh), should be

removed immediately, failing which the Administration would remove it within one week thereafter.

Learned senior counsel appearing for the petitioners, other than raising an objection on the applicability of the Periphery Act itself, has also submitted that the notice is not even in terms of Section 12(2) of the aforesaid Act.

Even prior to notice of motion having been issued, on an advance copy of the petition received by him, learned counsel appearing for the U.T. Chandigarh very fairly submit that the aforesaid notice would be withdrawn and appropriate notices under the provisions of the aforesaid Act would be issued by the respondents.

That being so, this petition is allowed to the extent that the impugned notice is set aside, but with liberty to the respondents to issue notices as per law in terms of the aforesaid Act of 1952.

(AMOL RATTAN SINGH)
JUDGE

May 27, 2022
dinesh

(LALIT BATRA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No