

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

Sr. No.103

**CM No.4690-CWP of 2022 in/and
Civil Writ Petition No.14066 of 2015
Date of Decision : April 02, 2022**

Gurpreet Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Mukul Goyal, Advocate, for the petitioner.

SUDHIR MITTAL, J. (ORAL)

CM-4690-CWP-2022

This application has been filed for advancing the date of hearing in the main case from 10.11.2022 to an earlier date.

Notice of the application.

Ms. Harsimrat Rai, DAG, Punjab accepts notice and waives service. She has no objection in case the application is allowed.

Accordingly, the application is allowed and date of hearing in the main case is advanced to today. Main case is taken board.

CWP-14066-2015

A writ in the nature of mandamus has been sought for directions to respondents No.1 to 4 to take necessary action upon resolution No.66 dated 07.10.2013 and upon notices dated 21.02.2014 & 16.09.2014 (Annexures P-3 & P-10 respectively) whereby respondent No.3 has directed the owner of respondent No.6 to close the cement store allegedly being run illegally in a residential area.

Resolution dated 07.10.2013 (Annexure P-2) is on record. It is a resolution passed by the Municipal Council, Kharar whereby it has been

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resolved that respondent No.6 should be closed since it is running in a residential area. Thereafter, vide memo. dated 21.02.2014 (Annexure P-3), the Municipal Council has directed respondent No.6 to close the shop and shift outside the residential area within seven days. This has been followed by another memo dated 16.09.2014 (Annexure P-10). Vide this communication, three days time was given to respondent No.6 to shut shop and to shift. It appears that despite the aforementioned action having been taken, respondent No.6 has still not been closed.

Written statement on behalf of respondents No.3 & 7 has been filed, according to which, the passing of resolution aforementioned and communicating the same to respondent No.6 through Annexures P-3 & P-10 has been admitted. It is also being stated therein that a complaint has been submitted to the local police and the higher authorities have also been informed.

Report dated 25.05.2017 of a Local Commission appointed by this Court is also on record. The said report corroborates the averments made in the writ petition.

No written statement on behalf of respondent No. 6 has been filed.

In view of the aforestated undisputed facts, the writ petition is disposed of with a direction to respondents No.3 & 4 to take appropriate action in accordance with law to redress the grievances of the petitioner. The same be done within four weeks from the date of receipt of a certified copy of this order.

April 02, 2022

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No