

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

COCp-1075-2016 (O&M)
Date of decision: 21.09.2023

Shashi Kant Malhotra

... Petitioner

Vs.

Sh. Parimal Rai and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Arsh Bir, Advocate
for the petitioner.

Mr. Vikas Bali, Standing Counsel for U.T. Chandigarh.

Mr. J.S. Lalli, Advocate for
Mr. Arav Gupta, Advocate

ARVIND SINGH SANGWAN, J. (ORAL)

Vide order dated 13.10.2014, following directions were issued in
CWP-22292-2013: -

“In the present case, the petitioner is not praying for construction of any additional floor and has submitted the revised building plans so that the changes and alterations which have become permissible with the passage of time are duly regularized. The demand for payment of charges for construction of an additional floor does not arise.

Thus, in the present case, we find that the demand raised vide letter dated 10.9.2013 is unjustified and is hereby set aside. The petitioner has also prayed for a writ in the nature of

mandamus directing the respondents to issue the revised building plans. Respondents are hereby directed to finalize the revised building plans already submitted within a period of two months.

In view of the above, the present writ petition is allowed with no order as to costs.”

Learned Standing Counsel for U.T. Chandigarh, on the basis of affidavit of Deputy Commissioner, Chandigarh, has submitted that the petitioner was called and he gave an undertaking that barring the demand of additional floor charges, he is ready to pay the remaining amount. It is further stated that in terms of the same, the letter dated 13.01.2017 was issued asking the petitioner to deposit the composition fee as well as labour charges.

Learned counsel for the petitioner has submitted that aforesaid decision has been communicated to the petitioner, however, till date, no payment has been made.

In view of the above, no willful disobedience is made out and the present petition is rendered as infructuous.

However, liberty is granted to the petitioner to avail the alternative remedy, in accordance with law, if so required.

[ARVIND SINGH SANGWAN]
JUDGE

21.09.2023
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No