

[2023:PHHC:041690]

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

**COCP-2358-2018 (O&M)
Date of decision: 22.03.2023**

Court on its own motion**...Petitioner****Versus****Aditya Dahiya and another****...Respondents****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. Teevar Sharma, Advocate as Amicus Curiae.

Mr. Sheetal Vaishnav, Advocate
for the applicant/proposed petitioner/Subhash Chand Aggarwal.

Ms. Anita Balyan, Advocate for
Mr. Deepak Balyan, Advocate
for respondent No. 1.

Mr. H. P. S. Sandhu, Advocate
for respondent No. 2.

ARVIND SINGH SANGWAN, J. (Oral)

Learned counsel for respondent No. 1 submits that the impugned notice has already been withdrawn, therefore, this petition may be rendered infructuous.

Learned counsel for the applicant-Subhash Chand Aggarwal, however, submits that the matter regarding approval of the site plan of the building is not yet decided by the Municipal Corporation.

Be whatsoever, the applicant-Subhash Chand Aggarwal has an independent cause of action to take recourse under the provisions of Haryana Municipal Corporation Act.

In view of the above, the present petition is rendered infructuous.

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Rule stands discharged.

This Court appreciates the able assistance rendered by Mr. Teevar Sharma, Advocate as Amicus Curiae.

The High Court Legal Services Committee is directed to pay him the requisite fee, as payable to a legal aid counsel.

22.03.2023
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>