

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

\*\*\*

CWP-2684-2023

Date of decision : 09.02.2023

Rajesh Kochar

... Petitioner

Versus

State of Punjab and others

... Respondents

***CORAM: HON'BLE MR.JUSTICE VIKAS BAHL***

Present: Ms.Jigyasa Tanwar, Advocate  
for the petitioner.

**VIKAS BAHL, J.(ORAL)**

This is a civil writ petition under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus for directing respondents no.1 to 3 to consider the representation dated 18.09.2022 (Annexure P-8) and to take appropriate action with respect to construction raised on plot no.47 measuring 8 marlas situated in the residential area of New Model Town, Ludhiana by respondent no.4.

Learned counsel for the petitioner has submitted that the petitioner has given a representation dated 18.09.2022 to respondents no.1 to 3 including the Commissioner, Municipal Corporation, Ludhiana, detailing the grievance of construction of the hotel which has been raised by respondent no.4 in an area of 8 marlas, which is in violation of provisions of law. It is further submitted that the Commissioner under Sections 258, 259 and 262 of the Punjab Municipal Corporation Act, 1976 has the power to

would be satisfied in case the Commissioner, Municipal Corporation, Ludhiana, is directed to look into the representation dated 18.09.2022 and in case, he is of the opinion that any action is required to be taken, then the same be taken, in accordance with law.

Keeping in view the above said facts and circumstances and also the prayer made by learned counsel for the petitioner, the present petition is disposed of with a direction to the Commissioner, Municipal Corporation, Ludhiana, to consider into the representation dated 18.09.2022 as expeditiously as possible, preferably within a period of 4 weeks from the date of receipt of the certified copy of the present order and in case after considering the same, the Commissioner, Municipal Corporation, Ludhiana, is of the opinion that any action is required to be taken, then the same be taken, in accordance with law after giving opportunity of hearing to respondent no.4 and all the persons concerned.

It is made clear that this Court has not given any opinion on the merits of the case and the Commissioner, Municipal Corporation, Ludhiana, would consider the said representation independently, in accordance with law.

(VIKAS BAHL)  
JUDGE

February 09, 2023  
*Davinder Kumar*

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|-----------------------------|--------|
| Whether speaking / reasoned | Yes/No |
| Whether reportable          | Yes/No |