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

CWP-5672-2023

Date of decision : 20.03.2023

Charan Singh Bhullar

...Petitioner

Versus

State of Punjab and others

...Respondents

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

Present: Mr. Ashutosh Gupta, Advocate for the petitioner.

Mr. Ferry Sofat, Addl. A.G. Punjab, for respondent Nos.1 and 2.

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

This is a Civil Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing the Commissioner, Municipal Corporation, SAS Nagar (Mohali) to take appropriate action on the representation/legal notice dated 06.01.2022 (Annexure P-14).

Learned counsel for the petitioner has submitted that the petitioner, through his counsel, had given legal notice dated 06.01.2022 (Annexure P-14) to the Commissioner, Municipal Corporation, SAS Nagar (Mohali), in which, it has been detailed by the petitioner that on account of water logging outside his house, there are chances of spread of diseases and hygiene of the area is also not proper.

Learned counsel for the petitioner has submitted that under the provisions of Chapter 12 of the Punjab Municipal Corporation Act, 1976, it is the Commissioner, Municipal Corporation who has to oversee the public

streets/public roads and that the petitioner would be satisfied in case, the Commissioner, Municipal Corporation looks into the representation-cum-legal notice dated 06.01.2022 (Annexure P-14) and after considering the same, takes appropriate action, in accordance with law.

On the other hand, learned State Counsel appearing on behalf of respondent Nos.1 and 2 has submitted that the Commissioner, Municipal Corporation would look into the legal notice dated 06.01.2022 (Annexure P-14) in accordance with law and take action in accordance with law.

Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with directions to the Commissioner, Municipal Corporation, SAS Nagar (Mohali) to look into the representation-cum-legal notice dated 06.01.2022 (Annexure P-14) within a period of one month from the date of receipt of certified copy of the present order and in case, the Commissioner is of the opinion that action, in pursuance of the same, is required to be taken, then the same be taken as expeditiously as possible after granting opportunity of hearing to the persons against whom the said action is proposed to be taken.

In case, the Commissioner, Municipal Corporation is of the opinion that the legal notice submitted by the petitioner does not have any merits then a speaking order rejecting the claim made by the petitioner be passed within a period of one month from the date of receipt of certified copy of the present order.

**20.03.2023***Pawan***(VIKAS BAHL)  
JUDGE****Whether speaking/reasoned:- Yes/No****Whether reportable:- Yes/No**