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

CWP-6052-2023

Date of decision : 23.03.2023

Narinder Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Jitender Singh Kundu, Advocate for the petitioner.

VIKAS BAHL, J. (ORAL)

This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to grant necessary approval/sanction in pursuance of notification (Annexure P-2) and convert the petitioner's shop from lease hold to free hold basis.

Learned counsel for the petitioner has submitted that as per Clause 7 of the Notification dated 01.06.2021, the application with respect to the claim raised is required to be filed and within a period of one month from the date of said application, the same is to be decided by the concerned Commissioner of Municipal Corporation or Executive Officer of Municipal Council or the Secretary of Municipal Committee. It is further submitted that the petitioner had moved an application in accordance with the said

Notification for conversion of his shop from lease hold to free hold basis and an E-mail dated 19.07.2021 certifying the said fact has been annexed as Annexure P-6 with the paper book. It is contended that in spite of lapse of more than one year and 6 months, no decision on the same has been taken.

Learned counsel for the petitioner has also submitted that the petitioner would be satisfied in case, the Commissioner of Municipal Corporation, Tehsil Kalka, District Panchkula, is directed to consider the application submitted by the petitioner which has been duly acknowledged by an E-mail dated 19.07.2021 (Annexure P-6), within a period of one month from the date of receipt of certified copy of the present order.

Keeping in view the abovesaid facts and circumstances and prayer made by the petitioner, the present Civil Writ Petition is disposed of with direction to the Commissioner of Municipal Corporation to consider and decide the application filed by the petitioner which has been duly acknowledged by an E-mail dated 19.07.2021 (Annexure P-6) as expeditiously as possible and preferably within a period of one month from the date of receipt of certified copy of the present order.

23.03.2023*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**