

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

(112)

CWP-6565-2023

Date of decision: - 11.04.2023

M/s Decode Advertising Private Limited**....Petitioner****Versus****State of Punjab and others****.....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. Lovish Arora, Advocate, for the petitioner.

Mr. Rohit Ahuja, DAG, Punjab, for respondents No.1 and 2.

Mr. Abhilaksh Gaiind, Advocate, for respondent No.4.

VIKAS BAHL, J. (ORAL)

This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to remove 4 Unipoles within the area of Bus Terminal, Zirakpur on the plea that the same are against the provisions of Clause No.11.1.1 of the Municipal Outdoor Advertisement Bylaws 2018.

Learned counsel for the petitioner has submitted that for the grievance raised by the petitioner, the petitioner has given a legal notice dated 30.01.2023 to respondent No.3 and has prayed that a direction be issued to respondent No.3 to consider the said legal notice dated 30.01.2023 and take appropriate action in pursuance of the same in accordance with law.

Learned State counsel as well as learned counsel appearing for respondents No.4 have submitted that they have no objection in the

said course of action, but have stated that all the concerned parties including respondent No.4 as well as M/s Degraphics Advertising & Marketing, SCO-6, 2nd Floor, Sector 30-D, Chandigarh, who has been allotted the contract which includes 4 Unipoles, be granted a personal hearing before any order is passed.

Keeping in view the above-said facts and circumstances, the present writ petition is disposed of on the following terms: -

- (i) Respondent No.3 would issue notice to the present petitioner as well as to respondent No.4 and M/s Degraphics Advertising & Marketing, SCO-6, 2nd Floor, Sector 30-D, Chandigarh and also to other concerned/interested persons, within a period of 10 days from the date of receipt of certified copy of this order.
- (ii) The said persons would be granted a personal hearing and respondent No.3 after hearing all the said parties, would pass a speaking order within a period of six weeks from the date all the parties appear before respondent No.3.
- (iii) In case, respondent No.3 finds merit in the plea raised by the petitioner, then, appropriate action in accordance with law would also be taken by respondent No.3 as expeditiously as possible, preferably, within a period of two months from the date the said order is passed.

It is made clear that this Court has not opined on the merits of the case and it would be open to respondent No.3 to consider the said legal notice and the issue in hand independently and after hearing all the concerned parties, in accordance with law.

April 11, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No