

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-6277-2023

Date of decision : 24.03.2023

Sukhbir Singh

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHLPresent: Mr.Dinesh Kumar Dakoria, Advocate
for the petitioner.Ms.Upasana Dhawan, AAG, Haryana
for respondent no.1.Mr.Prateek Mahajan, Advocate and
Ms.Perna Malhotra, Advocate
for respondent no.2.**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, order or direction in the nature of mandamus directing the respondents not to demolish the residential house of petitioner no.1 i.e., House no.439, Ward no.35, Village Nathupur, Tehsil and District Gurugram.

Learned counsel appearing for respondent no.2 has brought to the notice of this court that in the present case, a show cause notice under Section 408A (1)(b) of the Haryana Municipal Act, 1994 (in short “the Act”) was issued to the petitioner and thereafter the Municipal Corporation, Gurugram had passed the demolition order dated 07.01.2020 under Section 408A (2) of the Act and the said fact has not been disclosed in the present

Section 408B of the Act against the said order of demolition.

Learned counsel for the petitioner has submitted that he had no knowledge of the said demolition notice/order and thus, seeks to withdraw the present petition with liberty to file an appeal under Section 408B of the Act before the competent authority.

In view of the statement made by learned counsel for the petitioner, the present petition is dismissed as withdrawn with the aforesaid liberty.

(VIKAS BAHL)
JUDGE

March 24, 2023
Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No