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

CWP-11138-2023

Date of decision: 26.05.2023

Mann Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. A.D.S. Jattana, Advocate for the petitioner.

Mr. Ferry Sofat, Addl. A.G. Punjab, for respondent Nos.1 to 3.

VIKAS BAHL, J. (ORAL)

1. 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 respondent Nos.1 and 2 for considering the representations dated 11.05.2022 (Annexure P-8) and dated 29.03.2023 (Annexure P-12) submitted by the petitioner with respect to Resolution dated 02.11.2021 (Annexure P-6).

2. Learned counsel for the petitioner has submitted that for the grievances raised in the present writ petition, the petitioner had given representation dated 11.05.2022 (Annexure P-8) to the Director, Local Bodies, Punjab Chandigarh and has submitted that the fact that Resolution dated 02.11.2021 had been wrongly passed, has been mentioned in the said representation. It is further submitted that under Section 232 of the Punjab Municipal Act, 1911, the Deputy Commissioner has the power to suspend any Resolution or order of the Committee. It is contended that as per Section 4(a) of the Punjab Municipal Act, 1911, the Deputy Commissioner includes the

Additional Deputy Commissioner and further reference has been made to letter dated 07.09.2022 to show that the matter is now pending before the Additional Deputy Commissioner (Urban Development), SAS Nagar (Mohali).

3. Learned counsel for the petitioner has further submitted that the petitioner would be satisfied that in case, the Additional Deputy Commissioner (Urban Development), SAS Nagar (Mohali), considers the representation dated 11.05.2022 (Annexure P-8) and in case, he is of the opinion that the pleas raised by the petitioner are found to be meritorious then take appropriate action in accordance with law.

4. Learned State Counsel has submitted that the Additional Deputy Commissioner (Urban Development), SAS Nagar (Mohali) would consider the representation dated 11.05.2022 (Annexure P-8) within a period of one month from today and in case, pleas raised by the petitioner are found to be meritorious then, appropriate action, in accordance with law, would be taken as expeditiously as possible.

5. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with direction to the Additional Deputy Commissioner (Urban Development), SAS Nagar (Mohali) to look into representation dated 11.05.2022 (Annexure P-8) within a period of one month from today and in case, pleas raised by the petitioner are found to be meritorious then, appropriate action, in accordance with law, be taken as expeditiously as possible after affording due opportunity of hearing to the private respondents.

26.05.2023*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:- Yes/No****Whether reportable:- Yes/No**