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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.1379 of 2015
Date of decision : 29.08.2023

Amarjit Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present:- Mr. Rakesh Bhatia, Advocate
for the petitioner.

Ms. Akshita Chauhan, DAG, Punjab.

Mr. Harsh Aggarwal, Advocate
for respondents No.2 & 3.

RAJESH BHARDWAJ, J. (Oral)

Present writ petition has been filed for restraining respondents No.2 & 3 from demolishing the entrance gate, which is in consonance with the sanctioned building plan dated 02.06.2009, as well as order dated 29.07.2010 passed in CWP No.5474 of 2009 by this Court and now respondent No.3 has issued show cause notice dated 16.01.2015 (Annexure P-4) stating therein that the petitioner cannot keep the entrance gate on Mandir side which itself shows that they are over reaching the orders of this Court as well as their own sanctioned building plan of House No.22-B, BRS Nagar, Ludhiana (Annexure P-2). Further prayer has been made for directing the respondent to withdraw the alleged notice dated 16.01.2015 (Annexure P-4) and consider the reply to the said notice (Annexure P-5)

and declare the action of respondent as illegal and in violation of principles of natural justice.

Learned counsel for the petitioner submits that the petitioner has received the notice dated 16.01.2015 stating that the gate is illegal and not as per the building plan. He submits that after receipt of the notice, the petitioner filed his reply on 23.01.2015 but decision on the same has not been taken till date.

After hearing counsel for the parties and going through the facts and circumstances of the case, the present petition is disposed of with a direction to respondent No.2, i.e. Municipal Corporation, Ludhiana through the Commissioner to decide the notice dated 16.01.2015 (Annexure (P-4), expeditiously preferably within one month in accordance with law from the date of receipt of certified copy of this order. Necessary decision be taken after hearing the petitioner and also considering his reply, if any filed to the notice.

(RAJESH BHARDWAJ)
JUDGE

29.08.2023

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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No