

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

(209)

**CWP-23575-2017
Decided on : 06.09.2023**

Lakhwinder Singh

.....Petitioner(s)

Versus

State of Punjab and others

.....Respondent(s)

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MS.JUSTICE HARPREET KAUR JEEWAN**

Present: Mr. Kshitij Sharma, Advocate for the petitioner (s).

Mr. V.G. Jauhar, Additional Advocate General, Punjab.

Ms. Shreya Singh, Advocate for respondent Nos.2 & 3-GMADA.

Mr. K.S. Dhillon, Advocate for respondent No.4 & 7.

None for respondent Nos.5 & 6.

G.S. Sandhawalia, J. (Oral)

Present writ petition under Article 226 of the Constitution of India has been filed seeking directions against the respondents to allow the petitioner to re-open/extend the basement in the booth owned by the petitioner i.e. Booth No.12-C and 13-C, Chotti Baradari-II under the corridor on the ground that similarly situated persons had been allowed by the respondents to run the basement under the corridor.

2. The respondent No.1 has placed on record notification dated 30.07.2019 (Annexure R-17) whereby a decision had been taken to regularize the illegal basement constructed below the corridors in the commercial sites.

3. Counsel for petitioner submits that he may be permitted to withdraw the present writ petition with liberty to challenge the above said notification.
4. Keeping in view the issue involved and in the public interest which has been propagated, we are of the considered opinion that the matter is liable to be re-agitated.
5. Accordingly, the present writ petition is dismissed as withdrawn with liberty to file a fresh one on the same cause of action challenging the notification dated 30.07.2019 (Annexure R-17).

(G.S. SANDHAWALIA)
JUDGE

(HARPREET KAUR JEEWAN)
JUDGE

06.09.2023
Naveen

Whether speaking/reasoned :	Yes	
Whether Reportable :		No