

237

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.22525 of 2019
Date of Decision : 09.10.2023

Dharminder Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Baldev Sharma, Advocate
for the petitioner.

Mr. Arun William, AAG, Punjab.

Mr. Neeraj Yadav, Advocate
for respondent No.2.

RAJESH BHARDWAJ, J. (Oral)

Present writ petition has been filed for directing the respondents to return the original copy of the proposed House Plan (Annexure P-2) to the petitioner duly approved and further allow construction of the residential building of the petitioner according to the said proposed House Plan, which was applied and submitted to the respondents for sanction on 03.11.2017 after payment of the required fee and there being no refusal within statutory period of sixty days of the receipt of the application, the same is deemed to have been sanctioned after the expiry of statutory period of sixty days, under the provisions of Section 193 (1-a) of the Punjab Municipal Act, 1911 (Punjab Act No.3 of 1911) (as amended upto date).

Learned counsel for the petitioner has submitted before this Court that the petitioner submitted the plan for the construction of his house and no decision was taken by the respondents on the same within 60 days as per the provisions of Section 193(1-a) of the Punjab Municipal Act, 1911 (Punjab Act No.3 of 1911) (as amended upto date). He submits that as per the provision, if no decision is taken within 60 days, the same shall be deemed to have been sanctioned, if there is no refusal order passed by the Committee.

However, learned counsel for respondent No.2 has submitted that the plan submitted by the petitioner was rejected by the answering respondent on 27.06.2019. He submits that in such a situation, the remedy lies with the petitioner only to challenge the order.

Learned counsel for the petitioner fairly submits that he may be allowed to withdraw the present petition with liberty to challenge the said order in accordance with law.

Allowed to do so.

Dismissed as withdrawn with liberty aforesaid.

(RAJESH BHARDWAJ)
JUDGE

09.10.2023
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No