

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

(101)

CWP-19229-2023

Decided on : 02.09.2023

Amardeep Singh and others

.....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. Mohit Jaggi, Advocate for the petitioner (s).

Mr. V.G. Jauhar, Addl. AG, Punjab as well as
counsel for respondent-GMADA.

G.S. Sandhawalia, J. (Oral)

The petitioners in the present writ petition filed under Article 226/227 of the Constitution of India seek directions against the respondent Nos.2 & 3 not to carry out any demolition drive on the temporary sheds in violation of provisions of Punjab Regional and Town Planning and Development Act, 1995.

2. Yesterday the following order was passed:-

“Mr. Jauhar prays for time to confirm whether any show cause notice was issued regarding the apprehension which has been raised by the petitioners qua the temporary construction raised.

Adjourned to 02.09.2023.”

3. Today, Mr. Jauhar has placed on record certain documents. He on instructions from Mr. Darshan Toor, Law Officer, GMADA has informed the Court that the petitioner No.4-Swaran Singh has already filed an appeal against a demolition order and earlier he was also petitioner No.7 in **CWP-25562 of 2019** filed by Kulwant Singh, wherein directions were issued on 12.09.2019 that all the pending applications be decided in accordance with law

within the prescribed period. It is, thus, pointed out that an appeal is also pending against the demolition order dated 15.03.2019. Photographs have also been placed on record, which would go on to show that there is commercial activity being carried out in the form of selling of building material from the premises in question. Petitioner Nos.5 & 6 are wife and son of the said petitioner No.4-Swaran Singh. Regarding petitioner Nos.1 to 3 it is pointed out that show cause notices have been issued dated 30.01.2018 and 01.09.2020. The writ petition is, thus, silent as such regarding the said factual aspects. It is, however, conceded that regarding petitioner No.7 there is apparently no show cause issued.

4. Keeping in view the above, counsel for the petitioner is not in a position to press the present writ petition on account of concealment of facts.

5. Accordingly, we allow the request of the counsel for the petitioner and the writ petition is dismissed as not pressed. However, respondent-authority shall issue necessary show cause notice to petitioner No.7 in case any action is to be required to be taken against her.

(G.S. SANDHAWALIA)
JUDGE

(HARPREET KAUR JEEWAN)
JUDGE

02.09.2023
Naveen

Whether speaking/reasoned :	Yes	
Whether Reportable :		No