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

**CWP No.20299 of 2023
Date of Decision: 22.12.2023**

Narotam Singh and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Umesh Aggarwal, Advocate
for the petitioners.

Ms. Akshita Chauhan, DAG, Punjab.

Mr. Sarthak Soni, Advocate for
Mr. Sanjeev Soni, Advocate
for respondents No.2 and 3.

Mr. Rajinder Sharma, Advocate
for respondent No.5.

RAJESH BHARDWAJ, J. (ORAL)

Present writ petition has been filed for directing the respondents authorities to comply with the Notice under section 273 (2, 3, 4, 5, 6) of the Punjab Municipal Corporation Act, 1976 dated 21.08.2013 (Annexure P-2) issued by the office of MTP, Municipal Corporation i.e. respondent No.3, Amritsar, wherein the petitioners almost 100 years old building was declared unsafe and unfit for human habitation and was thus ordered to be demolished within 15 days of the above mentioned notice.

On issuance of notice of motion, reply has been filed by way of an affidavit of Meharban Singh, Municipal Town Planner, Municipal Corporation, Amritsar on behalf of respondents No.2 and 3.

Learned counsel appearing on behalf of respondents No.2 and 3 has affirmed the submissions made by learned counsel for the petitioners that as per the assessment, the condition of the building is poor and it is unfit for the dwelling purpose. He submits that earlier notice was issued in 2013 and now they would proceed further by issuing fresh notice to the parties in accordance with law.

Learned counsel appearing on behalf of respondent No.5/tenant has submitted that the case is pending adjudication before the Civil Court and there is an interim order in his favour. He submits that there is also an alternative remedy available with the petitioners.

After hearing learned counsel for the parties and perusing the record, it is apparent that the Municipal Corporation has admitted the fact regarding the poor condition of the building.

Thus, taking in view the above submissions, the present petition is disposed of with a direction to respondent No.2 to take further action expeditiously in accordance with law keeping in view the over all facts and circumstances of the case and after hearing all the parties concerned.

(RAJESH BHARDWAJ)
JUDGE

22.12.2023

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