

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-21661-2023

Date of decision:15.11.2023

Kulwinder Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr. Munish Jolly, Advocate,
for the petitioner.

ARUN PALLI, J. (Oral)

The petitioner herein has prayed for the following
substantive relief:-

***“Civil Writ Petition under Article 226/227 of
constitution of India praying for issuance of a writ of
mandamus directing the Respondent nos.1 to 4 to take
action against respondents nos.5 to 9 for illegal
constructions/commercial activities in violation of
Section 79, 80 and 81 of the Punjab Regional and Town
Planning and Development Act, 1995 and in violation
of the Punjab New Capital (Periphery) Control Act,
1952 and the Punjab Town Planning & Development
Act, 1995 without any discrimination; and/or***

***Any other appropriate writ, order or direction
which this Hon’ble Court may deem fit and proper in
the peculiar facts and circumstances of the case.”***

Served with the advance copy of the petition, Mr. V.G.
Jauhar, learned Additional Advocate General, Punjab, is present in Court.
And, at the outset, he submits that pursuant to notice dated 07.11.2022,
issued by the competent authority to respondent No.5, proceedings under
the Punjab New Capital (Periphery) Control Act, 1952 and the Punjab

Regional and Town Planning and Development Act, 1995, are pending. Therefore, he submits that let this petition be disposed of, at this stage, to enable the authorities to take appropriate decision in the matter. He further submits that as the petitioner has served the respondent authorities with a legal notice dated 31.08.2023 (P-10), the same shall also be taken cognizance of. And necessary orders thereon, in accordance with law, shall be passed, after affording due notice/opportunity of hearing to all the stakeholders.

To this, learned counsel for the petitioner submits that let this petition be disposed of, in terms of the statement made by learned State counsel. However, it is urged that the authorities be directed to do the needful within a specified time.

In response, learned State counsel submits that the appropriate orders on the legal notice of the petitioner shall be passed, in accordance with law, within a period of three months from today.

The petition is accordingly disposed of, in terms of the statements made by learned counsel for the parties

This Court is sanguine that the authorities shall look into the matter in the right earnest. And, appropriate orders, in accordance with law, shall be passed within the time indicated by the learned State counsel.

Needless to assert that this order shall not constitute an expression of opinion on the merits of the case of either party, for, as indicated above, the competent authority shall examine the grievances of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

15.11.2023
Ak Sharma

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