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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP No.25921 of 2023  
Date of decision : 17.11.2023

**Surinder Singh**

..... Petitioner

**Versus**

**State of Punjab and others**

..... Respondents

**CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

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

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**RAJESH BHARDWAJ, J. (Oral)**

Present writ petition has been filed for quashing of order dated 27.07.2020 (Annexure P-18) passed by Respondent No.3 whereby illegally respondent No.3 passed the order for terminating the tenancy and for vacating the land from petitioner by issuing notice under section 172 of Punjab Municipal Act 1911 as the order passed by respondent No.3 is in complete violation of instructions dated 29.01.2015 (Annexure P-19) issued by Local Government Department, Punjab vide letter No.DLG-LO(D) 2015/3893-4054, whereby instructions have been issued that Administrator does not have any right on the properties of Municipal Council, Nagar Panchayat. Further prayer has been made for directing respondents No.3 and 4 to withdraw/quash the impugned notice No.781 dated 31.08.2020 (Annexure P-15) issued by respondent No.4 under Punjab Municipal Act 1911 whereby petitioner has been directed to vacate

the property without adopting the proper procedure of law and for directing respondents No.3 and 4 to decide the legal notice 16.03.2023 (Annexure P-17) issued by the Petitioner but even after 6 months neither petitioner is being allowed to deposit the due rent of land which is in possession of petitioner even prior to 1969 nor respondents No.3 and 4 are executing new lease agreement.

Learned counsel for the petitioner has submitted that the petitioner has already served a legal notice dated 16.03.2023 (Annexure P-17) upon respondents No.4 & 5, however, no action has been taken till date.

Notice of motion to the officials respondents only.

On asking of the Court, Ms. Akshita Chauhan, DAG, Punjab appears and accepts notice on behalf of the respondents.

The present petition is disposed of with a direction to respondent No.5 i.e. Executive Officer, Municipal Council, Sirhind to decide the legal notice dated 16.03.2023 (Annexure P-17) served upon him by the petitioner in accordance with law within a period of four weeks from today.

(RAJESH BHARDWAJ)  
JUDGE

17.11.2023  
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Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No