

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.26475 of 2023
Date of decision : 24.11.2023

Alep Parkash Singh and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Harsh Chopra, Advocate
for the petitioners.

RAJESH BHARDWAJ, J. (Oral)

Instant writ petition has been filed for summoning the entire record of the case and for directing respondents No.1 to 3 to take action in accordance with law against respondents No.4 to 6 for violating the Punjab Municipal Building Bye-Laws 2018 and other provisions of law by performing illegal construction activities which have damaged the property of the petitioners. Further prayer has been made for directing respondents No.1 to 3 to act upon the representations/notices dated 24.06.2023 (Annexure P-5), 08.07.2023 (Annexure P-6), 17.07.2023 (Annexure P-9) sent on behalf of the petitioners and for granting stay over the on-going constructions over the Plot No.174, new Jawahar Nagar, Jalandhar being done by respondent No.6 on behalf of respondents No.4 and 5 in view of imminent danger posed to the life of the petitioners, family and their property.

It has been contended by learned counsel for the petitioners that respondents No.4 to 6 are constructing the house without getting the necessary NOC. He has submitted that there is a threat to the house of the petitioners and for that the petitioners have filed a number of representations but neither any inspection has been done by the respondents authorities nor the representations have been decided till date.

Notice of motion to the official respondents at this stage.

On asking of the Court, Ms. Akshita Chauhan, DAG, Punjab appears and accepts notice on behalf of respondents No.1 and 2.

Heard.

Learned counsel for the petitioners submits that the petitioners be allowed to file a fresh representation before respondent No.3, who would decide the same in a time bound manner.

Learned State counsel submits that if any representation is filed by the petitioners, the same would be decided keeping in view the overall facts and circumstances of the case.

In view of the above position, the present petition is disposed of with liberty to the petitioners to file appropriate representation before respondent No.3 i.e. Commissioner, Municipal Corporation, Jalandhar as prayed for within a week from today. If any such representation is filed by the petitioners within the stipulated period, then respondent No.3 i.e. Commissioner, Municipal Corporation, Jalandhar is directed to get the site

inspected through some official and decide the representation filed by the petitioners in accordance with law within a period of four weeks from the date of its filing.

(RAJESH BHARDWAJ)
JUDGE

24.11.2023
rittu

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