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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-961-2024

Date of Decision: January 16, 2024

Malika Garg

.....Petitioner

Versus

Municipal Corporation Panchkula and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Aman Bansal, Advocate
for the petitioner.

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RAJESH BHARDWAJ, J.(ORAL)

Petitioner has approached this Court praying for setting aside of impugned notice, dated 15.11.2023, Annexure P-15, issued by respondent No.1, under Section 263(A) of the Haryana Municipal Corporation Act, 1994 and impugned notice No.5839, dated 12.09.2014, Annexure P-17, and impugned order No.5840, dated 12.09.2014, Annexure P-18, passed by respondent No.2 in a biased and arbitrary manner under the influence of some person who have vested interest and they do not want the petitioner to run her petrol pump and to the utter surprise, as per the contents of the impugned notice, dated 15.11.2023, Annexure P-15, as the same has been issued after lapse of nine years, which itself shows the malafide and arbitrariness on the part of the concerned officers. It is further prayed to direct any senior official to conduct an independent and impartial enquiry to find out the role of the guilty officials who issued the impugned notice dated 15.11.2023, Annexure P-15, without verifying the true facts as petitioner is running her petrol pump in a legal manner but the respondents issued the

impugned notice, dated 15.11.2023 just to harass and humiliate the petitioner.

It has been submitted by learned counsel for the petitioner that notice, dated 15.11.2023, Annexure P-15, was issued to the petitioner to which she has duly replied on 20.11.2023, Annexure P-19, however, the same is still pending.

Notice of motion.

On asking of the Court, Mr.Rajesh Gaur, Addl.A.G.Haryana, who is present in Court, accepts notice on behalf of the respondents/State and submits that the Notice, Annexure P-15, will be decided by respondent No.1.

Heard.

After hearing counsel for the parties, the present petition is disposed of with a direction to respondent No.1-Commissioner, Municipal Corporation, Panchkula, to decide the Notice, dated 15.11.2023, Annexure P-15, after considering the reply filed by the petitioner expeditiously in accordance with law preferably within two weeks from today. It is also directed that the decision will be conveyed to the petitioner.

January 16, 2024
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(RAJESH BHARDWAJ)
JUDGE

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |