

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-5864-2024

Date of decision: 30.04.2024

Ruchi Punyani

....Petitioner

Versus

Chandigarh Administration and others

....Respondents

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

Present: Mr. A.S.Gulati, Advocate,
for the petitioner.

Mr. Ashish Rawal, Advocate,
for the respondent-U.T., Chandigarh Administration.

ARUN PALLI, J. (Oral)

A Certiorari is prayed for, to quash the show cause notice dated 23.10.2018 (P-1), issued by SDM (South), U.T., Chandigarh, under Rule 14 and 10 of the Chandigarh Estate Rules, 2007, read with Section 8-A of the Capital of Punjab (Development & Regulation) Act, 1952, as regards 167 square feet area, which is under violation.

Apparently, the petitioner, vide impugned show cause notice, was required to appear before the competent authority on 26.11.2018. But nothing is stated in the petition if the petitioner appeared before the authority on the appointed date. However, learned counsel for the petitioner submits that a reply dated 22.11.2018 (P-2) was submitted to the said notice.

Ex facie, nearly a period of six years has gone by since issuance of the impugned show cause notice, but nothing is averred in the petition as regards the status of the proceedings that were initiated pursuant to the said notice. But, we are informed that the competent authority is still in seisin of the matter, which is now posted for 05.08.2024 at 2:30 PM. That being so, we wonder, as to how, the petitioner could parallelly maintain the petition at hand.

Faced with this, learned counsel for the petitioner submits that let the petition be disposed of, at this stage, to enable the petitioner to pursue her claim with the respondent authorities. And in the event, she has any other grievance, she would avail such other remedies, as shall be admissible in law.

In the wake of the position sketched out above and in terms of the statement made by learned counsel for the petitioner, the petition is accordingly disposed of.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

30.04.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No