

121

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2024:PHHC:036721

CWP-5993-2024

Date of Decision:14.03.2024

Narender Singh

..... Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Rohit Rana, Advocate, for the petitioner.

Ms. Upasana Dhawan, Assistant Advocate General, Haryana.

Mr. Naveen S. Bhardwaj, Advocate, for respondents No.2 to 4.

Rajesh Bhardwaj, J. (ORAL)

Prayer in the present petition is for setting aside the order dated 10.01.2024 (Annexure P-10) passed by respondent i.e. Commissioner, Municipal Corporation, Gurugram, dismissing the appeal of the petitioner against demolition order dated 15.03.2023 (Annexure P-4) under Sections 266(1) and 408 (A) 2 of Haryana Municipal Corporation Act, 1994 as well as order dated 15.03.2023 (Annexure P-4) directing demolition alongwith notice dated 13.02.2023 (Annexure P-2) alongwith demarcation report dated 07.11.2022 (Annexure P-9) as no intimation was ever sent to the petitioner for demarcation effecting rights of the petitioner, thus, the same being issued in complete defiance of the Act and prescribed rules and regulations of the Punjab and Haryana High Court and further contravene the applicable legal framework which governs the procedure for issuing such notice. Further prayer has been made to prohibit respondents No.2, 3 and 4 from demolishing the house of the petitioner in village Gwalpahari, Gurugram and to direct respondents No.4 and 5 to carry out fresh demarcation exercise in presence of the petitioner after verifying/establishing the pucca points in accordance with Chapter I Part M (I)

Volume I of the Rules and Orders of the Punjab and Haryana High Court.

After arguing for some time, learned counsel for the petitioner prays for withdrawal of the present petition. However, he submits that the petitioner has filed a representation (Annexure P-14) for carrying out demarcation of his land and the same be decided by the respondent-authorities.

Learned State counsel has submitted that the representation filed by the petitioner would be dealt with in accordance with law.

Dismissed as withdrawn. However, the respondent-authorities are directed to decide the representation filed by the petitioner expeditiously in accordance with law.

(RAJESH BHARDWAJ)
JUDGE

14.03.2024
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Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No