

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-9021-2024(O&M)
Date of decision: 23.04.2024

Harjit Singh
... Petitioner
Versus
State of Punjab and others
... Respondents

CORAM: HON’BLE MR. JUSTICE ARUN PALLI
HON’BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Vivek K. Thakur, Advocate,
for the petitioner.
Mr. Jastej Singh, DAG, Punjab.

ARUN PALLI, J. (Oral)

The petitioner has prayed for the following substantive relief:

“CIVIL WRIT PETITION under Article 226 of the Constitution of India for the issuance of a Writ, Order or direction especially a writ in the nature of mandamus directing the Respondents to consider and take a final decision on the application dated 25.07.2022 (Annexure P-15) & application dated 17.03.2023 (Annexure P-15/A) in a time bound manner and further in the light of Provisional Regularization Certificate dated 27.12.2019 (Annexure P-14), issue Regularization Certificate in respect of Moti Bagh Colony in Village Kartarpur-3, District Jalandhar which has been carved out by the Petitioner.”

Learned counsel for the petitioner submits that prior to the institution of this petition, the petitioner had moved two applications dated 25.07.2022 (P-15) & 17.03.2023 (P-15/A), requiring the competent authority, i.e. Executive Officer, Municipal Council, Kartarpur, District Jalandhar

(respondent No.4), to release water, sewerage and electricity supply to Moti Bagh Colony, Kahlwan Road, Kartarpur. Further, a direction is also prayed for, to Additional Deputy Commissioner, Urban Development, Jalandhar (respondent No.5), for issuance of regularization certificate qua the said colony, for which Rs.12,65,000/- has since been deposited. It is urged that even though a considerable time has elapsed, but the matter has not made any tangible progress.

Served with the advance copy of the petition, Mr. Jastej Singh, learned Deputy Advocate General, Punjab is present in Court on behalf of the official respondents.

At the outset, he submits that as the matter is already pending consideration of the respondent-authorities, it would be expedient if this petition is disposed of, at this stage, to enable the competent authority to consider the concerns/grievances of the petitioner. And pass appropriate orders in accordance with law. He submits that before any such orders are passed, the petitioner shall be heard, for which a formal communication will be issued well in advance. He further submits that the petitioner shall also be at liberty to furnish any fresh material to support/substantiate its claim.

Learned counsel for the petitioner is agreeable to the course suggested by learned State counsel. And submits, let this petition be disposed of in terms of his statement. However, he submits that as the matter is pending for a considerable time, the competent authority be directed to take a decision within a specified time.

To which, learned State counsel submits that the necessary orders, after affording an opportunity of hearing to the petitioner, shall be passed within a period of eight weeks from today.

In the wake of the position sketched out above, and in terms of the statements made by learned counsel for the parties, the petition stands disposed of.

This Court is sanguine that the competent authority shall consider the matter in the right earnest, and pass the necessary orders.

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated above, the competent authority shall examine the concerns/grievances of the petitioner, strictly in accordance with law.

(Arun Palli)
Judge

(Vikram Aggarwal)
Judge

23.04.2024
Rajan

Whether speaking / reasoned:	YES/NO
Whether Reportable:	YES/NO