

110 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-9403-2023 (O&M)
Date of Decision:13.03.2024

Virender Kumar Bansal

..... Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr.Sarju Puri, Advocate, for the petitioner.
Ms. Upasana Dhawan, Assistant Advocate General, Haryana.
Mr.Piyush Bansal, Advocate for respondent No.4.

Rajesh Bhardwaj, J. (ORAL)

Prayer in the present petition is for issuance of direction to the respondents to consider and process the case of the petitioner for regularization of the existing Nursing Home/Eye Hospital of the petitioner and its ancillary extension building in terms of the Haryana Government, Urban Local Bodies Department notification dated 30.03.2017 (Annexure P-4) as the petitioner is fully eligible for the said regularization and an application dated 01.06.2018 submitted by the petitioner in this regard before respondent No.3 is pending consideration since long. Further prayer has been made for quashing of the impugned notices dated 01.02.2023 (Annexure P-13) and 15.03.2023 (Annexure P-17) issued by respondent No.3 under Section 265(1) of the Haryana Municipal Corporation Act, 1994 and Section 263-A(1) of the Haryana Municipal Corporation Rules, 1994 being totally illegal, arbitrary and against the principles of natural justice.

Learned counsel for respondent No.3-MC, Ambala has reiterated his arguments that respondent-MC has already passed order dated 24.08.2023 and the petitioner has remedy to assail the same.

Learned counsel for the petitioner has fairly submitted that the petitioner would avail his remedy against the order dated 24.08.2023. He submits that the present petition be disposed of with liberty to the petitioner to avail his remedy available to him in accordance with law.

In view of the above, the present petition is disposed of with liberty as prayed for. In case the petitioner files any appropriate petition/representation before the respondent-MC within a period of 10 days from the date of receipt of copy of this order, the same would be decided by the respondent-MC expeditiously within a period of three months from the date of its filing.

No coercive action shall be taken against the petitioner till the decision of the representation to be filed by the petitioner. It is made clear that if the petitioner intentionally delays the proceedings, the interim protection granted to him by this Court would not be available to him.

13.03.2024

sharmila

(RAJESH BHARDWAJ)
JUDGE

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