

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210

1. CWP-PIL-110-2019 (O&M)
Date of decision: 15.10.2024

SIMRANJIT SINGH ..Petitioner

Versus

STATE OF PUNJAB AND ORS. ..Respondents

2. CWP-PIL-127-2019 (O&M)

SIMRANJIT SINGH ..Petitioner

Versus

STATE OF PUNJAB AND OTHERS ..Respondents

3. CWP-PIL-71-2019

COUNCIL OF ENGINEERS AND OTHERS ..Petitioners

Versus

STATE OF PUNJAB AND OTHERS ..Respondents

4. CWP-PIL-31-2021 (O&M)

SIMRANJIT SINGH ..Petitioner

Versus

STATE OF PUNJAB AND OTHERS ..Respondents

5. CWP-PIL-70-2021

ROHIT SABHARWAL ..Petitioner

Versus

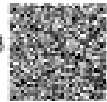
STATE OF PUNJAB AND OTHERS ..Respondents

6. CWP-PIL-207-2021

SIMRANJIT SINGH ..Petitioner

Versus

STATE OF PUNJAB AND OTHERS ..Respondents



**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: None for the petitioner (in CWP-PIL-110 & 127 of 2019,
CWP-PIL-31 & 207 of 2021).

Ms. Sunaina, Advocate
for the petitioners (in CWP-PIL-71-2019).

Mr. Sardavinder Goyal, Advocate
Mr. Nishant Sindhu, Advocate
for the petitioner (in CWP-PIL-70-2021).

Mr. Saurav Khurana, Addl. A.G., Punjab.

Mr. H.K. Aurora, Advocate
for respondent No.3 (in CWP-PIL-110-2019).

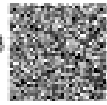
Mr. Baltej Singh Walia, Advocate
for Ms. Diya Sodhi, Advocate
for respondent No.5-PUDA (in CWP-PIL-31-2021)

* * * *

SHEEL NAGU, C.J. (Oral)

1. All these Public Interest Litigation (PIL) have been filed raising public cause of inaction on the part of Municipal Corporation, Jalandhar, to initiate action under the provisions of Sections 269 to 273 of Punjab Municipal Corporation Act, 1976 (in short '1976 Act') against construction and erection of buildings within the Municipal Corporation, Jalandhar, which are either constructed contrary to the sanction referred to in Section 262 or in contravention of any permission subject to its sanction or in contravention of any of the provisions of the 1976 Act or by-laws made thereunder.

2. On notice having been issued, Municipal Corporation, Jalandhar, has filed a detailed reply mentioning the number of cases where compounding was possible, appropriate orders were passed and where compounding was not possible, part or full demolishing has taken place of



building found constructed in violation of the provisions of the 1976 Act and by-laws framed thereunder.

3. The reply reveals that action has also been taken against some of the private respondents, who have been impleaded in the petitions.

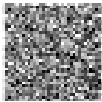
4. Learned counsel for Municipal Corporation, Jalandhar, submits that the process of verifying the correctness of a particular building to be aligned with the building sanction granted by Municipal Corporation is a continuous process, which is being undertaken by building officer and building inspector and as and when the default is found, the same is rectified either by compounding, if possible, or by demolishing the building in part or full.

5. From the above facts, it is evident that the cause raised in these petitions as per the time being is redressed by Municipal Corporation, Jalandhar, and therefore, there is no need to keep all these petitions pending.

6. Accordingly, all the petitions stand disposed of with liberty to the petitioners to re-visit the Court in case any similar grievance remains unredressed.

7. Looking to the wide scale violation of building sanctions made in State of Punjab, it is obvious that the same could not have been done without the *prima facie* connivance of employees and officers of Municipal Corporation.

8. This Court is not coming to any conclusion as regards the culpability or mis-conduct on the part of Municipal Corporation officers and employees but leaves it to all the Commissioners of Municipal Corporation in State of Punjab to undertake an inquiry as expeditiously as possible and



find out as to who were the erring officers and employees, who had permitted the violation of building sanction during their tenure and conclude the same as within a period of two months and file compliance report latest by 31.01.2025.

9. All the pending miscellaneous applications, if any, are also disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(ANIL KSHETARPAL)
JUDGE

October 15th, 2024
Ayub

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>