



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 15179 of 2024

Date of decision: 08.07.2024

Mohd. Mujahid

.... Petitioner

Vs.

State of U.T. and others

.... Respondents

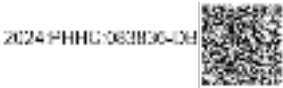
**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr. Arnav Sood, Advocate and
Mr. Manpreet Singh, Advocate
for the petitioner.

ARUN PALLI, J (Oral)

A certiorari is prayed for to quash the impugned notice dated 20.06.2024 (P-4) issued by the land Acquisition Officer, Chandigarh (respondent No.3) whereby Noorani Masjid through Mohd. Mujahid son of Mohd. Zahiruddin, was directed to demolish/remove the illegal religious structure from the Government land, within 15 days, failing which the same would be removed by the authorities and appropriate action shall be initiated.

Learned counsel for the petitioner submits that the land in dispute, upon which the Noorani Masjid exists is situated in village Khajeri, Sector 52, Chandigarh. And the said land was donated by Kuldeep Singh son of Sarwan Singh resident of village Khajeri for construction of Masjid vide gift agreement dated 04.06.1996 (P-2). It is urged that Masjid, that exists at site, was constructed in the year 1996 and is being managed by Iqra Foundation Committee. With reference to the order dated 29.09.2009, passed by the Supreme Court in SLP (Civil) No.8519 of 2006, referred to in the impugned notice, he submits that the respondent administration had asked for the response of the petitioner, which has since been submitted along with the necessary documents on 24.06.2024 (P-5). However, for the respondent authorities have not yet reached any decision, the petitioner is facing imminent threat of demolition of the religious structure at the hand of the respondents. Thus the petition.



Served with the advance copy of the petition, Mr. Ashish Rawal, Advocate with Mr. Rakesh Sobti, Advocate is present in Court on behalf of the respondents. At the outset, he, on instructions, submits that the petitioner was merely served a show cause notice dated 20.06.2024, and was asked to submit its response. And, since competent authority is yet to pass a formal order, after considering the reply submitted by the petitioner, apprehension of the petitioner is wholly misplaced. Further, before any such order is passed, the petitioner shall be afforded an opportunity of hearing.

That being so, learned counsel for the petitioner submits that the petition be disposed of in terms of the statement made by learned counsel for the respondents.

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

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

08.07.2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No