



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-15532-CWP-2024 in/and
CWP No.7237of 2017 (O&M)
Date of Decision: 09.12.2024.

S. Lakha Singh Bahra Charitable Trust

....Petitioner

Versus

State of Punjab and others

....Respondents

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

Present: Mr. Gaurav Rana, Advocate
For the applicant-petitioner.

Mr. Vipin Pal Yadav, Addl. A.G. Punjab.

Mr. Balwinder Singh, Advocate
for respondents No.2 and 3.

ARUN PALLI J.(Oral)

1. The petitioner (S. Lakha Singh Bahra Charitable Trust) assails the order dated 23.06.2015 (Annexure P-10) passed by respondent No.3 vide which the plot measuring 1666 sq. yards situated in Village Chachoki, Phagwara, District Kapurthala was resumed. Challenge has also been laid to the notice dated 11.08.2016 (Annexure P-12) and 24.03.2017 (Annexure P-23) issued under Section 46(1) (c) of the Punjab Regional and Town Planning and Development Act, 1995 calling upon the petitioner to vacate the land in question.
2. During the course of arguments, on 02.09.2024, the following order was passed:-

***“Having argued the matter at some length, learned
counsel for the petitioner submits that during the pendency***



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of the petition, which is pending since 2017, the petitioner, qua its concerns/grievances, had moved the respondents-authority once again, vide a comprehensive representation dated 20.08.2024, and the matter is pending consideration.

Learned counsel for respondents No.2 and 3 does not dispute this position and prays for a short accommodation to seek instructions if the authority could re-examine the matter in the right earnest to provide a quietus to the matter in issue.

Adjourned to 09.09.2024.

To be taken up immediately after urgent matters.”

3. Thereafter on 09.09.2024, the following order was passed:-

“Learned counsel for the petitioner prays for a short accommodation to furnish a specific affidavit, as regards the precise/ requisite time the petitioner would require to demolish the illegal/ unauthorized construction, covering an area measuring 1367.03 sq.ft.

As prayed, adjourned to 12.09.2024.”

4. In compliance thereof, an affidavit dated 10.09.2024 was submitted by the authorized representative of the petitioner that the unauthorized construction measuring 3667.03 sq.ft out of which 2940.58 sq.ft is non-compoundable would be removed till 19.09.2024 where after, the premises may be inspected by the respondents.

5. Pursuant thereto, the unauthorized construction is stated to have been demolished and the site is stated to have been inspected by the respondents. Learned counsel for the respondents submits that no unauthorized construction now exists at the site. He submits that accordingly, the impugned order dated 23.06.2015 and all subsequent

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notices related thereto which have been impugned in the present writ petition be deemed to have been withdrawn.

6. To this, learned counsel for the petitioner submits that nothing substantive survives in the present petition and the same be disposed of in terms of the statement given by learned counsel for the respondents.

7. The writ petition is accordingly disposed of in terms of the statements given by learned counsel for the parties binding them to the same.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

December 09, 2024
Rekha

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No