



LPA-1420-2025 (O&M)

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

105+251

LPA-1420-2025 (O&M)
Date of Decision :27.08.2025

**Managing Committee of Gurudwara Shri Guru
Nanak Darbar Trust**

..Appellant

Versus

Gurmej Singh and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Mr. Shashank Shekhar Sharma, Advocate for the appellant.

Mr. Vijay Rana Advocate and Mr. Shreya Rana, Advocate
for respondents No.1 & 2.

Mr. T.P.S. Chawla, Senior DAG, Punjab
for respondents No. 3 to 5.

Mr. Sandeep Khunger, Advocate &
Mr. Saksham Khunger, Advocate
for respondent No.6-Municipal Committee.

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Harsimran Singh Sethi, J. (Oral)

CM-4077-LPA-2025

1. Present application has been filed for preponing the date of hearing of the main appeal.
2. Learned counsel for the appellant submits that present application may kindly be disposed of having been rendered infructuous.
3. Ordered accordingly.



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4. Present appeal has been filed for setting aside the order dated 09.04.2025 passed by the learned Single Bench in **CWP-25680-2024 titled as Gurmej Singh and another vs. State of Punjab and others**, whereby the writ petition filed by the respondents herein for removal of unauthorized construction by appellant has been allowed.

5. Learned counsel for the appellant submits that the plans have already been submitted for compounding of the constructions already erected especially, in view the fact that the ownership of the appellant has gone unrebutted qua the land where the religious place has been erected.

6. Learned counsel appearing for the respondent-Municipal Committee submits that as per the report of the Tehsildar concerned, whether the construction is on the land owned by the appellant or not is yet to be verified and for that purpose the demarcation of the land in question has to be carried out after which demarcation only, the consideration can be given to the aspect that whether the construction which has already been done by the appellant can be compounded or not.

7. Learned counsel appearing for the respondent-Municipal Committee further submits that within a period of one month from the day the demarcation report is received at the hands of Tehsildar by the Municipal Committee, an appropriate decision will be taken with regard to the prayer of the appellant qua compounding of the construction already made.

8. Learned counsel appearing for the respondent-State submits that the demarcation of the land in question will be carried out within a period of four weeks from today and the report of the same will be sent to the Municipal Committee, Kharar for appropriate consideration qua compounding of the construction.



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9. Keeping in view the fact that the application of the appellant for the grant of benefit of compounding of construction already done, is under consideration of the competent authority and the time frame has already been noticed hereinbefore within which period, the said consideration will be finalized, the present appeal is disposed of with the observations that in case after the conclusion of the consideration within the time frame granted to the respective authorities as noticed hereinbefore, Municipal Committee, Kharar comes to the conclusion that the construction of the appellant can be compounded, the direction given by the learned Single Judge in order dated 09.04.2025 with regard to the vacation of the premises by the appellant will be treated to have become infructuous and in case, Municipal Committee, Kharar does not grant the benefit of compounding, the action will be taken by the appellant as well as by the respondents keeping in view the direction given by the learned Single Judge in para-9 of the impugned order dated 09.04.2025.

10. It may be noticed that in case the benefit of compounding is not granted to the appellant, qua implementing the directions given by the learned Single Judge in para-9 of the order dated 09.04.2025 time period will start running from the date the order is passed by the Municipal Committee, Kharar declining the benefit of compounding to the appellant so as to comply with the direction given by learned Single Bench in para-9 of the order said dated.

11. Present appeal is disposed of in above terms.

12. Civil miscellaneous application pending, if any is also disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

August 27, 2025
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(VIKAS SURI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No