



CWP-13310-2025 (O&M)

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

**CWP-13310-2025 (O&M)
Date of Decision: 22.07.2025**

Balraj Singh and others

....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Navjot Singh, Advocate
for the petitioners.

Mr. B.S. Bali, Addl. A.G., Punjab.

Mr. A.S. Manaise, Advocate
for respondent No.3.

HARSH BUNGER, J. (Oral)

The present petition has been filed under Article 226 of the Constitution of India *inter alia* seeking issuance of a writ in the nature of Mandamus for directing respondents No.1 to 3 to consider and decide the representation dated 28.04.2025 (Annexure P-3), submitted by the petitioners against the illegal construction being carried out by respondents No.4 and 5.

2. Short reply dated 19.07.2025, by way of affidavit of Sh. Gulpreet Singh Aulakh, Commissioner, Municipal Corporation, Amritsar, on behalf of respondent No.3 has been filed by learned counsel appearing for respondent No.3, which is taken on record, subject to all just exceptions. The relevant extract thereof reads as under:-

“2. That while acting on the aforesaid representation dated 28.04.2025 (Annexure P-3), the site was inspected by the



Building Inspector, Municipal Corporation, Amritsar and it was found that respondent No.5 was carrying on construction without approval of building plan.

3. *That consequently, notice dated 03.04.2025 Annexure R-3/1 under Section 270(1) of Punjab Municipal Corporation Act, 1976 was issued to respondent No.5 to stop the unauthorized construction and to obtain the building approval from the Municipal Corporation, Amritsar failing which necessary legal action would be taken. When respondent No.5 failed to respond to the aforesaid notice, then another notice dated 07.04.2025 Annexure R-3/2 under Section 269(1) of Punjab Municipal Corporation Act, 1976 were issued to respondent No.5 to show cause as to why the unauthorized construction be not demolished.*

4. *That respondent No. 5 had not constructed any ramp towards the street on the spot. However, she had constructed overhanging extension of slab towards the street, which amounts to encroachment and was demolished by the Municipal Corporation, Amritsar on 11.04.2025.*

5. *That thereupon, final order dated 21.05.2025 Annexure R-3/3 under Section 269(1) of Punjab Municipal Corporation Act, 1976 was passed by answering respondent No.3 for demolition of unauthorized construction raised by respondent No.5 on the site in Street No.2, International Avenue, Amarkot, Apolo Pharmacist Street, Amritsar.*

6. *That ultimately, the premises of respondent No.5 in street No.2, International Avenue, Amarkot, Apolo Pharmacist Street, Amritsar was sealed on 26.05.2025 by the Municipal Corporation, Amritsar. In case, respondent No.5 applies for approval of building plan of the aforesaid site, then the same can be sanctioned only after recovery of compounding fee after removing the violation of front houseline as per building bye-laws. The photographs of the site are attached herewith as Annexure R-3/4.*

7. *That as of today, the aforesaid premises of respondent No.5 stand sealed by the Municipal Corporation, Amritsar and*



no constriction work is being carried out. Further, there is no encroachment existing on the spot over any public property by respondent No.5.

8. That it is also worth mentioning here that respondent No.5 has challenged the aforesaid final demolition order dated 21.05.2025 before District Court, Amritsar by filing an appeal bearing No.CA/145/2025 dated 26.05.2025 titled Neelam Gupta Vs. MC Amritsar, in which no stay has been granted and the case is pending for 12.08.2025 before Ld. Additional District Judge, Amritsar. A copy of interim order dated 26.05.2025 passed by Ld. ADJ Amritsar is attached as Annexure R-3/5.”

3. In view of the aforesaid stand taken on behalf of respondent No.3, learned counsel for the petitioners submits that the grievance raised by the petitioners stands addressed, accordingly, the present petition has been rendered infructuous.

4. In view of the above, the present petition is dismissed as having been rendered infructuous.

5. All pending application(s), if any, shall also stand closed.

22.07.2025

Himani

**(HARSH BUNGER)
JUDGE**

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No