



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

CWP-3948-2025

Date of Decision:08.04.2025

Deepak Dhingra @ Deepak

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Divanshu Jain, Advocate
for the petitioner.

Mr. Navneet Singh, Sr. DAG, Punjab.

Mr. Amandeep Singh Manaise, Advocate
for respondents No.2 and 3.

HARSH BUNGER J. (ORAL)

Prayer in the instant civil writ petition filed under Article 226 of Constitution of India, is for issuance of a writ in the nature of Certiorari for setting aside the order dated 19.07.2023 (Annexure P-8), whereby the Municipal Town Planner, Municipal Corporation, Amritsar has cancelled the sanctioned site plan dated 07.06.2023 (Annexure P-4) without affording any opportunity of hearing to the petitioner.

2. Notice of motion.

3. Mr. Navneet Singh, Senior Deputy Advocate General, Punjab and Mr. Amandeep Singh Manaise, Advocate, who are present in Court, accept notice on behalf of the respondent No.1/State and respondents No.2

and 3/M.C., respectively.

4. Learned counsel for respondents No.2 and 3/M.C., while referring to order dated 19.07.2023 (Annexure P-8) submits that the petitioner had dug up basement in contravention of the approved site plan and as a result of which, a loss has been caused to the adjoining properties. It is submitted that Municipal Corporation has already sought report from the Civil Engineer, Department of Guru Nanak Devi University, as regards the firmness of the soil which is stated to have been re-filled in the dug up basement and also as regards any loss caused to the adjoining properties. It is further submitted that upon receipt of such report and/or any other report as may be submitted by the petitioner, the authorities would reconsider the case of the petitioner by passing a speaking order, after affording due opportunity of hearing to the petitioner in respect of sanctioning of the site plan and necessary action would be taken within a period of six weeks from today.

5. Keeping in view the aforesaid submissions made by learned counsel for respondents No.2 and 3/M.C., the present writ petition is disposed of, accordingly.

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

08.04.2025
Pd

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No