
(2018) 01 P&H CK 0053
In the Punjab And Haryana At Chandigarh
Case No : 3 of 2018

M/s G.S. Majestic Developers Pvt. Ltd.	APPELLANT
Vs	
State of Punjab and others	RESPONDENT

Date of Decision : 01-01-2018

Acts Referred:

[Punjab Municipal Corporation Act, 1976](#), Section 274

Citation : (2018) 01 P&H CK 0053

Hon'ble Judges : Sudhir Mittal

Bench : Single Bench

Advocate : S.P.S. Sidhu

Judgement

1. The present writ petition has been filed with the prayer that appropriate notice under the Punjab Municipal Corporation Act, 1976 or the Punjab

Regional and Town Planning and Development Act, 1995 be given before taking any action against the mall of the petitioner known as Grand

Walk Mall at Ferozepur Road, Ludhiana.

2. According to the petitioner, construction of the mall was completed in the year 2012 after taking all necessary permissions and submission of

requisite plans. However, some violations were detected and the same were compounded by payment of Rs.20,32,188/- on 09.10.2013, receipt

Annexure P6 is annexed. However, even though no violation was in existence, a part of the pavement of the mall was demolished at night on

13.08.2017 without giving any notice to the petitioner. On the next day i.e. 14.08.2017, a notice under Section 274 of the Punjab Municipal

Corporation Act, 1976 was issued alleging that the 6th floor of the mall was illegal. CWP No.18289 of 2017 was filed by the petitioner

challenging the said notice. During the course of hearing of the writ petition, it was accepted by the Municipal Corporation, Ludhiana that the notice

impugned was without jurisdiction and consequently, the writ petition was disposed of vide order dated 08.11.2017 (Annexure P10).

3. It is now contended that the petitioner apprehends that the mall will be demolished/sealed without issuance of notice as required under the law.

Keeping in view the apprehension of the petitioner, the present writ petition is disposed of with direction to respondent No.2 not to take any

coercive steps i.e. demolition/sealing of the mall without giving appropriate notice as required under the law and without taking into consideration

any reply thereto which may be filed by the petitioner.