

Punjab-Haryana High Court

Krishan Kumar vs State Of Punjab And Others on 3 November, 2008

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH.

C.W.P. No. 18758 of 2008

DATE OF DECISION : 03.11.2008

Krishan Kumar

.... PETITIONER

Versus

State of Punjab and others

..... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL  
HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. S.K. Arora, Advocate,  
for the petitioner.

\*\*\*

SATISH KUMAR MITTAL , J. ( Oral ) The petitioner, who owns two shops in Krishan Chowk, old Grain Market, Guruharsahai, District Ferozepur, has filed this petition under Articles 226/227 of the Constitution of India for quashing the resolution No.44 dated 16.10.2008 (Annexure P-2), passed by the Municipal Council, Guruharsahai (respondent No.4 herein), allowing its tenants to extend their rented shops by 10 feet.

The grouse of the petitioner is that if the tenants of the Municipal Council are permitted to raise construction by expanding their shops by 10 feet, then face of the shops of the petitioner would be covered and would adversely affect his business. To show the factual position, the petitioner has annexed the site plan Annexure P-1. In the site plan, consciously and deliberately, the petitioner has not disclosed the dimensions of the shops of the Municipal Council, which are under the tenancy of different persons. Even otherwise, the Municipal Council, Guruharsahai is owner of the shops and the space in front of the shops, expansion of which has been allowed. We are further of the opinion that even if construction is raised in front of the rented shops of the Municipal Council, it is not going to cover the face of the shops of the petitioner. In these facts and circumstances, we are not inclined to entertain this petition at all.

Dismissed.

( SATISH KUMAR MITTAL )  
JUDGE

November 03, 2008  
ndj

( JASWANT SINGH )  
JUDGE