



CWP-4978-2026

-1-

2026.PHHC.073583



2026:PHHC:073583

116

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

CWP-4978-2026

Date of Decision:- 11.05.2026

NARESH KUMAR JAIN

....Petitioner.

Vs.

STATE OF UT CHANDIGARH AND ORS

...Respondents

**CORAM:- HON'BLE MR. JUSTICE JASGURPREET SINGH PURI
HON'BLE MRS. JUSTICE AMARJOT BHATTI**

Present:- Mr. Ranjeet K. Jaswal, Advocate for the petitioner.

Mr. Sanjiv Ghai, Additional Standing Counsel
for respondent No.1 to 4 – UT, Chandigarh.

Mr. Ashish Rawal, Advocate for respondent No.5.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present is petition filed under Article 226 of the Constitution of India seeking writ in the nature of mandamus directing respondents to transfer Hand Cart Licence No.1900 dated 07.03.1991 (Annexure P-2) in favour of petitioner, being the legal heir/son of Sh. Roshan Lal Jain and to allot a built up booth under the allotment/transfer of Built Up Booths Rules, 1991.

2. Learned counsel for the petitioner submits that despite legal notice dated 17.01.2026 (Annexure P-10) served upon the respondents no action has been taken by the respondents and therefore, directions may be



issued to the concerned respondents to consider and decide the legal notice as early as possible.

3. Mr. Ghai, learned counsel appearing for respondent Nos. 1 to 4, submits that the authority responsible for issuance of the licence is the Municipal Corporation, i.e. respondent No. 5, and therefore, appropriate directions may be issued to the Municipal Corporation.

4. On the other hand, Mr. Ashish Rawal, learned counsel appearing on behalf of the Municipal Corporation, respondent No. 5, submits that although the Municipal Corporation is the licensing authority, it does not possess any record pertaining to the present petitioner, nor has any such record been received from any other authority.

At this stage, Mr. Ghai states that the entire record has been transferred to the Municipal Corporation.

5. In view of the above, wherein the responsibility is being shifted by one authority of the State to another authority of the State, we are of the considered view that the petitioner who has served the legal notice on both the respondents cannot be left unattended. Legal notice has been issued by him and same has to be decided by the concerned authorities in accordance with law. It is, therefore, directed that the Commissioner, Municipal Corporation, Chandigarh shall coordinate and hold a meeting with the Estate Officer, Chandigarh and thereafter, on the basis of joint efforts made by both these authorities, the aforesaid legal notice shall be decided by the competent authority in accordance with law and after giving an opportunity of hearing to the petitioner or his counsel. The exercise shall be undertaken and completed within a period of



2026:PHHC:073583

CWP-4978-2026

-3-

2026.PHHC.073583



three months.

6. Petition is disposed of accordingly.

7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(JASGURPREET SINGH PURI)
JUDGE

(AMARJOT BHATTI)
JUDGE

11.05.2026

snd

Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No