

JAMMU MUNICIPAL CORPORATION
TOWN HALL JAMMU

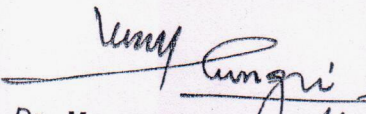
Sub: OWP No. 1766/2016 & MP No. 01/2016 titled Sham Lal & Ors. V/s State & Ors.

Order

1. Whereas, the above title case was filed by the petitioners inter alia seeking a direction to the Municipal Corporation, Jammu to decide the representation submitted by the petitioners dated 12.09.2016 and to prevent respondent No. 5 from illegally demolishing the well in question.
2. Whereas, when the matter was taken up, learned counsel for the petitioner had submitted that an ancient well is situate on Lane No. 02, Hazuri Bagh, Anandnagar Bohri, Jammu and water of the well is being used by the public in general who live in the vicinity. However, respondent No. 5 un-authorizedly has started demolition of the aforesaid well and is trying to raise construction thereon. It was further submitted that with regard to the grievances, the petitioners have submitted representation to Municipal Corporation, Jammu, however, representation submitted by the petitioner have failed to evoke any response.
3. Whereas, matter was finally disposed of on 17.12.2016 with the following directions:-

"In view of the aforesaid submission and in the facts of the case, I deem it appropriate to dispose of this writ petition with a direction to Commissioner, Jammu municipal Corporation, Jammu namely respondent No. 2 to consider and decide the representation submitted by the petitioners by passing a speaking order within a period of one month from the date of receipt of the certified copy of the order passed today. Needless to state that Commissioner, Jammu Municipal Corporation, Jammu shall afford an opportunity to the petitioners as well as to respondent No. 5 and shall pass a speaking order. Till the representation is decided by the Commissioner, Jammu Municipal Corporation, Jammu, the well in question shall not be demolished by respondent No. 5. It is made clear that this court has not expressed any opinion with regard to the merits of the claim of the petitioners."

Now therefore in compliance to the orders referred supra, all the petitioners as well as private respondent No. 5 (the particulars of petitioner / respondent No. 5 whereof are detailed in annexure "A") are hereby intimated to attend the office of undersigned on 21.1.17 at 11.30 am to afford an opportunity of hearing before deciding the matter. The parties are further directed to present the relevant records in support of their claims.


Dr. Manmohan Singh (KAS)
Commissioner,
Municipal Corporation,
Jammu

No:- mje&H/S/1526-30

Dated: 16.1.17

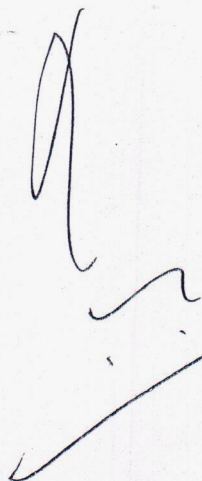
Copy to the:-

1. Commissioner Secretary to Govt. Housing & Urban Development Department, Civil Secretariat, Jammu.
2. Joint Commissioner (A), Municipal Corporation, Jammu for information.
3. Joint Director Information, Jammu with a request to publish the order with Annexure "A" in the leading local newspapers for information of the petitioners / respondent.
4. Sh. Sham Lal S/o. Late Sh. Rakha Ram R/o. Lane No. 02, Hazuri Bagh, Patta Bohri, Jammu, for information of the other petitioners as well.
5. Sh. Saradari Lal S/O Sh. Shanku R/O Lane No. 02, Anand Nagar near Hazuri Bagh, Bohri, Jammu

Annexure-A

Sub: OWP No. 1766/2016 & MP No. 01/2016 titled Sham Lal & Ors. V/s State & Ors.

S.No	Petitioners	Respondent No. 5
1.	Sham Lal S/O Late Sh. Rakha Ram R/O Lane No. 2, Mohalla Hazuri Bagh Patta Bohri, Jammu	Sh. Saradari Lal S/O Sh. Shanku R/O Lane No. 02, Anand Nagar near Hazuri Bagh, Bohri, Jammu
2.	Vijay Kumar S/O Late Sh. Vijay Kumar R/O Lane No. 02 Mohalla Hazuri Bagh, Patta Bohri, Jammu	
3.	Kamal Kumar S/O Sj Ashok Kumar R/O Lane No. 02 Mohalla Hazuri Bagh, Patta Bohri, Jammu	
4.	Raj Kumar S/O Late Sh Ashok Kumar R/O Lane No. 2 Mohalla Huzuri Bagh, Patta Bohri Jammu	
5.	Smt. Virro Devi W/O Sh. Late Sh. Bankay Ram R/O Lane No. 02, Mohalla Hazuri Bagh Jammu.	
6.	Smt. Dano Devi W/O Late Sh. Tara Chand R/O R/O Lane No. 02 Mohalla Hazuri Bagh, Patta Bohri, Jammu	
7.	Smt. Kantaro Devi W/O Late Sh. Bishmaber Dass R/O R/O Lane No. 02 Mohalla Hazuri Bagh, Patta Bohri, Jammu	
8.	Pawan Kumar S/O Sh Ramesh Lal R/O R/O Lane No. 02 Mohalla Hazuri Bagh, Patta Bohri, Jammu	
9.	Pawan Kumar S/O Sh Tara Chand R/O R/O Lane No. 02 Mohalla Hazuri Bagh, Patta Bohri, Jammu	
10.	Ashok Kumar S/O Late Sh. Chuni Lal R/O R/O Lane No. 02 Mohalla Hazuri Bagh, Patta Bohri, Jammu	
11.	Smt. Raj Kumar W/O Sh. Sham Lal R/O R/O Lane No. 02 Mohalla Hazuri Bagh, Patta Bohri, Jammu	
12.	Smt. Babi E/O Sh Sh. Dev Raj R/O R/O Lane No. 02 Mohalla Hazuri Bagh, Patta Bohri, Jammu	


04.1.17