

NEXT DATED 12.01.2026

**BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH,
AT NEW DELHI**

IN ORIGINAL APPLICATION NO. 502 OF 2025

IN THE MATTER OF:

ARVIND GOEL

...APPLICANT

VERSUS

MUNICIPAL CORPORATION, LUDHIANA & ORS

...OPP. PARTIES

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DATED: 05.01.2026

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NOTE: -

1. That the next date of hearing is 12.01.2026.



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**WRITTEN STATEMENT ON BEHALF OF
OPPOSITE PARTY NO. 6 - SHREE
RAGHUNATH HOSPITAL.**

RESPECTFULLY SHOWETH: -

PRELIMINARY OBJECTIONS: -

1. That the present OA is not within the limitation, the present application filed by the applicant upon plain reading of Section 15 of the said Act is barred by law of limitation as the application raising substantial question relating to environment seeking restitution, remediation and compensation (including Enforcement of Legal Right relating to environment) has to be filed within period of 5 years from date on which the cause of action for such dispute "First Arose" provided that, this Hon'ble Tribunal may, if it is satisfied that the applicant was prevented by sufficient cause from filing the application within the said period allow it to be filed within a further period not exceeding 60 days. In the present case the application is totally barred by limitation as the

cause of action for filing the present application first arose even if it is to be taken from the date of issuance of a site plan of the society (P-1) which was issued on 10.08.2001 and whereas it may be also noted here that the answering OP No.6 was allotted the land way back in the year 1979-80 and thereafter, the Hospital was constructed and it is an admitted fact that the Hospital is being run on the piece of land 3360 Sq, Yds since more than 45 years and whereas the present application has been filed in September 2025 which makes the application hopelessly time barred.

2. That present application is filed almost 45 years after accrual of cause of action i.e. when the answering OP No.6 was been allotted the land for the purpose of constructing and running the hospital. The applicant is unnecessarily hampering the development work carried out by the OP No.6 for his vested interest, hence on this ground the present application be rejected. It is submitted that the present application is barred by limitation under Section 15 of the NGT Act, 2010 which prescribes a period of 5 years for filing an application from the date on which the cause of action for such dispute "First" arose extendable by a further period of 60 days thereafter, provided that the applicant may show sufficient cause that the applicant was prevented from filing such an application in time. Further the applicant has also sought to file an application under Section 15 read with Section 14 & 17 which also provide the aforesaid words "The Date", "Cause of Action" and "First Arose".

3. That the application was filed on 18.09.2025. It is submitted that the date of knowledge has absolutely no application while interpreting the provision of Section 15 of the NGT Act. The said act is special enactment and hence, there is a statutory prescription of the special period of limitation under Section 15 (3) of the said act, which will certainly exclude General Law of Limitation.
4. That it may be also noted here that the applicant is well conversant with the fact that the answering OP No.6 is running the Hospital since 1979-1981 i.e. about more than 45 years, however, still to substantiate the said fact the answering OP No.6 is appending alongwith the copies of the Audit Report alongwith the Balance Sheet of the year 1997-1998 wherein the building worth Rs.29,57,171/- stands mentioned, the receipts of property tax deposited from the date of its applicability i.e. since 2012-13 onwards, the rent deeds of the shops constructed in the Hospital of the year 1987-88, Form-26-License dated 16.10.2015 issued to the answering OP No.6 for operating a blood center. The answering OP No.6 reserves its right to produce the document, if need be, to show that the hospital was in existence since 1979-81. The copies of the Audit Report dated 16.09.1998, property tax receipt, Income Tax Certificate dated 15.10.1980, License dated 16.10.2015 are appended herewith as **ANNEXUE R-1, R-2, R-3 & R-4** respectively.
5. Further, the application of the principles of recurring and/or continuing cause of action for the purposes of disputes under Section 15 of the said Act would

lead to serious anomalous and undesirable consequences. That the Legislature while enacting the statute purposely used the words "first" for "cause of action" to file an action before the Tribunal. That the Hon'ble Supreme Court in the case of L.C. Hanumanthappa vs H.B. Shivakumar (2016) I SCC 332 has held that the word 'first' has been used between the words 'sues and 'accrued'. This would mean that if a suit is based on multiple causes of action, the period of limitation will begin to run from the date when the right to sue first accrues. To put it differently, successive violation of the right not give rise to fresh cause and the suit will be liable to be dismissed if it is beyond the period of limitation counted from the day when the right to sue first accrued.

6. That in a catena of cases, this Hon'ble Tribunal has also taken the view that limitation period begins to run from the date when the cause of action first arose including in Application No. 33 of 2016 *Jai Javan Jai Kisan and Ors. Vs Vidarbha Cricket Association and Ors.*; O.A. NO. 179 of 2016 *Graminee Environment Foundation vs. Balaji Infrastructures Ltd. and Ors*, OA No. 95 of 2014 *Mr. Suresh Waman Dhavale and ors. vs MOEF and Ors*
7. The Hon'ble Supreme Court in *State of M.P. v. Centre for Environment Protection Research & Development*, (2020) 9 SCC 781, the jurisdiction of this Hon'ble Tribunal, under Sec. 14 and 15 of the NGT Act, can only be invoked, when there is a violation of one of the specified statutory environmental obligations, mentioned in Schedule I of the NGT Act, which in

turn gives rise to a substantial question of law. The relevant portion of the said judgment has been reproduced below:

"43. For exercise of power under Section 14 of the NGT Act, a substantial question of law should be involved including any legal right to environment and such question should arise out of implementation of the specified enactments

44. Violation of any specific statutory environmental obligation gives rise to a substantial question of law and not just statutory obligations under the enactments specified in Schedule 1. However, the question must arise out of implementation of one or more of the enactments specified in Schedule I"

8. That this Hon'ble Tribunal in *Reddy Structures Private Limited v. Bruhat Bangalore Mahanagara Palike and Anr.* 218 SCC OnLine NGT 2469, has also similarly held that:

"...jurisdiction under Section 14, read with Section 15, is limited to determining substantial questions relating to environment arising out of Schedule-I to the Act for relief and compensation to the victims of pollution and for restitution of damaged property or the damaged area Beyond doing so, the Tribunal cannot go into any other question."

9. Similarly, section 15(3) of the act contemplates that no application for grant of compensation or relief or restitution of property or environment shall be entertained unless the same has been made within a period of five years from the date on which the for such compensation or relief first arose.

10. It is submitted that cause of action for filing an application under the provisions of the Green Tribunal Act, 2010 cannot accrue on the day when a person discovers the act of environmental damage. This 'Hon'ble Tribunal has rejected the proposition of 'Discovery Rule' being applicable to patent event perceptible to the public at large and therefore by no stretch of imagination can the cause of action for filing an application under the provisions of the said act could accrue on the day when such environmental damage is discovered by the party. The Applicant has thus approached this Hon'ble Tribunal with the sole intention to overcome the difficulty of limitation under the act, has approached this Hon'ble Tribunal with unclean hands. Therefore, the present Application under section 15 of the NGT Act, 2010 is clearly barred by limitation.

11. The Applicant herein has pleaded in the application that the applicant alongwith the other resident of the society had filed RTI Application seeking the information about action taken by Assistant Town Planner Zone for demolition of the Hospital as well as the Building Plan so approved by OP No.6 by the Municipal Corporation Ludhiana respectively. The said application is purportedly issued on 23.10.2024 (P-2 & P-3), however, this Hon'ble Tribunal in the Judgment of '*Ajay Jayawantrao Bhosale Vs. Union of India*' has held that an application under the RTI Act does not give the cause of action to the litigant to approach this Hon'ble Tribunal. The Hon'ble Tribunal ought to have appreciated that the principle ingredient of an

Application U/s 14 r/w 16 of the National Green Tribunal Act, 2010 is that the cause of action, which needs to have arisen first before filing an Application before this Tribunal. In the present the Applicant has failed to justify the same and hence, the Hon'ble Tribunal does not have the jurisdiction to try and entertain the present Original Application. Hence, it needs to be dismissed on this ground alone.

12. That the applicant in the present OA has laid much emphasis that "A Green-Belt having total length of about 1452 Feet and a Width of about 80 Feet was reserved (about 12,906 Sq. Yds.) on both side of the National Highway of OP No.5-Society pertaining to 81.93 Acres of land in Ludhiana. That as a matter of fact it may be noted here that the respondent No.5-Society has developed two sectors of the House Building Society i.e. Sector A and Sector B which constitutes to be named as AGGAR NAGAR, the applicant has chosen the file the present OA only pertaining to area of 3360 Sq. Yds. where answering OP No.6 is running a Hospital since last 45 years and the applicant though has alleged that about 12,906 Sq. Yds. land was reserved for Green Belt but has very cleverly not mentioned about the fact that why other Institution/Establishments/Residential/Accommodations who have constructed over the said piece of land on both the sides i.e. Sector A and Sector B of Aggar Nagar – OP No.5 have not been made as a party, however, on the ground of misjoinder of party the present OA also deserves to be dismissed.

That for the connivance of this Hon'ble Tribunal the answering OP No.6 has prepared a chart showing the Institution/Establishment who are in ownership/possession of their respective plots over the alleged piece of land which as per the applicant stated to be a Green-Belt:-

BLOCK A	
Sr. No.	Name of the Occupant
1.	Shree Shiv Mandir (Shiv Mandir Committee) through its president.
2.	Baljit Singh and Company, running a petrol pump of Bharat Petroleum alongwith another building abutting the petrol pump.
3.	Gurudwara Kalgir Dhar Sahib, through its president and various shops given on rent by Gurudwara.
4.	Various Shops occupied by the Tenants given on rent by OP No.5
5.	Gyani Vaishno Dhaba adjoining petrol pump
6.	Maharaja Agrasen Library
7.	Built up Quarters

The photographs of the above establishments are appended herewith as

ANNEXURE R-5.

BLOCK B	
Sr. No.	Name of the Occupant
1.	Shree Raghunath Mandir Society through its president/Authorized person
2.	The shops given on rent by Shree Raghunath Mandir Society.
3.	Shree Raghunath Sewa Dal through its president/authorized person

4.	Arya Samaj Mandir Society through its president.
5.	Shops given on rent by Arya Samaj Mandir Society.
6.	Raju Di Hatti & Back side of Raju Di Hatti a constructed Building comprised of 2 to 3 storage.

The photographs of the above establishments are appended herewith as

ANNEXURE R-6.

FACTS OF THE CASE:-

13. That the OP No.6 is a Society registered under the societies registration Act 1860, which was established to provide endow medical care etc and to serve the mankind. The OP No.6 society is running a hospital in the name of Shree Raghunath Hospital Society which is situated on Ferozpur Road, Ludhiana and the written statement is being filed through Sh. Rajneesh Kumar Jain S/o Padam Nath Jain R/o 515B, Agar Nagar, Block B, District Ludhiana who has been authorized by the management committee vide resolution dated 07.01.2024.

14. That the applicant has concealed material facts from this Hon'ble Tribunal and whereas the brief facts are enumerated as under:-

- i. That the OP NO.6 had formed a Society under the name and style of Shree Raghunath Hospital Society bearing Registration no 39 of 1980-81 and the certificate of registration of society was issued on

9th May 1980. The copy of the registration certificate dated 09.05.1980 is appended herewith as **ANNEXURE R-7**.

- ii. That thereafter the society formed/constructed a hospital and the sole aim an object of the petitioner-society was to serve mankind and as per its rules and regulation. The copy of the amended Rules and Regulation of the answering OP No.6 is appended herewith as **ANNEXURES R-8**.
- iii. That on 09.06.1977 a land measuring 800 Sq yards surrounding the already Smadh was handed over by OP No.5 to Shree Raghunath Mandir Society (who is not been made as a party to the present lis) vide resolution no 17 dated 09.06.1977.
- iv. That thereafter on 11.03.1979 the management of OP No.5 through their resolution considered the application of Shree Raghunath Mandir Society (who is not been made as a party to the present lis) for allotting the land measuring 2000 Sq yards for developing of Mandir or Hospital complex and the same was allowed and the said land was thus used for the purpose of construction of Hospital upon which OP No.6 had constructed the Hospital in the year 1979-80.

- v. That on 29.03.1981 yet another piece of land measuring 1360 Sq yard adjoining the earlier land measuring 2000 sq yard was also allotted to Shree Raghunath Mandir Society (who is not been made as a party to the present lis) which was further allotted to the answering OP No.6 for the purpose of running the hospital and thus in total a land measuring 3360 Sq yards was allotted to OP No.6 original by OP No.5 to Shree Raghunath Mandir Society (who is not been made as a party to the present lis) for the purpose of building the Hospital which is being run and managed by OP No.6.
- vi. That the OP No.5 was registered as a cooperative society on 29.04.1971 and they purchased land for allotment of developed plots to its members and also developed a colony under the name and style of "Aggar Nagar", Ludhiana having two blocks on both side of Ferozepur-Ludhiana Road i.e. Sector A and Sector B. It is pertinent to mention here that at the time the said Society-OP No.5 had developed the colony namely "Aggar Nagar", the entire area of colony was outside the Municipal Limits, therefore, OP No.5 was the competent authority to prepare the lay out plan. The OP No.5 was competent to prepare the plan and to make changes in view of the exigencies of time. Op No.5 allotted lands to institutions like

Schools, Hospital, Mandir, Gurudwara etc. and the land was also allotted to the religious institutions i.e. Shree Raghunath Mandir Society, Arya Samajh Mandir, Gurudwara Kalgidhar Sahib etc. and apart from that various plots and land allotted to Schools and other Institutions.

- vii. That when the answering OP No.6 was allotted the land measuring 3360 Sq. Yds. they applied for approval of site plan from Society-OP No.5 as the Society-OP No.5 had develop the Society and entire area of the colony was outside the Municipal Limits, thus, the site plans/layout plan was duly approved on 08.04.1981. The photocopy of the layout/site plan dated 08.04.1981 is appended herewith as **ANNEXURE R-9**.
- viii. That it is also pertinent to mention here that as OP No.5 who had been allotting the plots for commercial as well as residential accommodation and it was OP No.5 who was the competent Authority for approving the lay out plans of the plots till the time the area of OP No.5 did not come under the Municipal Corporation Ludhiana-OP No.1 and it is also pertinent to mention here that various residential plot owners had even got their lay out plans sanctioned from OP No.5 from time to time including that of the answering OP No.6.

- ix. That it is an admitted position as well as admitted fact that over the above piece of land measuring 3360 Sq yards the hospital is being constructed by the answering OP No.6 and is in existence which is run by answering OP No.6 since 1979-1981. That even the answering OP No.6 for running the hospital and for the construction of the same had got its a Society registered in the year 1980, further the answering OP No.6 by arranging their own funds from their own members and their own resources had built up the building of the hospital which is at present consisting of 2 storied building and even one basement.
- x. The answering OP No.6 has got all the requisite certificates from the concerned departments, public offices for running the hospital. That even as on today there are as many as 40-45 doctors, nursing staff, lab technicians and other administrative staff whose salary are been paid by answering OP No.6. That it is also pertinent to mention here that in the hospital there are various medical facilities i.e. Blood Bank, ICU Ward, Gynaecologist, Female Ward, Physiotherapy, Dialysis Centre, Operation Theatre, Ultra Sound Laboratory, Emergency Ward, paediatric ward, medicine ward and Trauma ward, Clinical Services, Diagnostic Services, Pharmacy, Transfusion Services as well as Professions Allied to Medicine and

various other facilities are been provided and even as on today the hospital is also dully approved as per the regulations of National Accreditations Boards for Hospital (NABH).

- xi. That in the year 2017 the dispute arose with regard to Membership of answering OP No.6-society in respect of the Members who paid Rs.11,000/-. That however, the said dispute of Membership went uptill the Hon'ble Punjab and Haryana High Court and it was during the intervention of the Hon'ble High Court an administrator was appointed to scrutinize the list of members and also to categorize the eligible members including of those who have paid Rs.11,000/- and it was on the decision taken by the administrator all those person who had paid Rs.11,000/- were not given the voter rights and were also not been considered as members. That it is hard to believe that if the applicant was so much effected by the alleged acts of illegal constructions as alleged by the applicant, he never took up the said objections before the administrator or even before the Hon'ble Punjab and Haryan High Court wherein this dispute in respect of election and working of the society was pending. The relevant copies of the orders dated 13.07.2023 and 10.10.2023 passed by the Hon'ble High Court as well as the order

dated 22.11.2023 passed by the Ld. Administrator are appended herewith as ANNEXURE R-10, R-11 & R-12 respectively.

- xii. That it is also worth mentioning here that the applicant also concealed the most relevant fact that a similar situated resident of OP No.5-Society had approached the Hon'ble Punjab and Haryana High Court by filing CWP No.24438 of 2021 titled as "Abhay Goel and Another Vs. The Commissioner, Municipal Corporation, Ludhiana and Others" seeking the relief of directing the official respondent to restrain the private respondents including OP No.5 to do constructions for commercial use upon the plot which has been kept for the purpose of Green Belt. It is also relevant to mention here that the petitioners in the writ petition are the resident of Block-B and had pleaded in the Writ Petition that the OP No.5 alongwith the Private respondents are raising constructions in the Green Belt of Block-B in the shape of commercial complex. That however, in the above writ petition, the OP No.5 while appearing filed their written statement and had taken the stand that the OP No.5 had developed the colony and the entire area of the colony was outside the Municipal Limits, it was also stated in the reply that the society had left some open space of future development of the colony and the said area was been described by the those

petitioners as green belt. It has also been stated that out of the open space parks have been developed and some land has been allotted to Mandirs, Gurudwars, Schools, Hospitals etc. That in the writ petition OP No.1-Municipal Corporation Ludhiana filed short reply dated 03.03.2022 through Sh. Surinder Singh Bindra, Senior Town Planner, MC, Ludhiana who has categorically stated as per the site plan/layout plan of OP No.5 THERE IS NO EXISTENCE OF GREEN BELT AS ALLEGED BY THE PETITIONER. Alongwith the reply the Layout/Site Plan dated 10.08.2001 was also annexed as annexure R-1. The said writ petition was eventually dismissed by the Hon'ble High Court vide order dated 21.11.2023. The copy of the complete CWP No.24438 of 2021, written statement dated 06.02.2022 filed on behalf of OP No.5, short reply dated 03.03.2022 filed on behalf of OP No.1 and the order dated 21.11.2023 are appended herewith as **ANNEXURES R-13, R-14, R-15 & R-16.**

- xiii. That the applicant was well aware of the above litigation been initiated by one of the resident of the OP No.5-Society who is also the resident of Block-B and very cleverly the applicant has concealed the above fact and by twisting and concealing has file

the present petition so has to settle his personal grudge against the answering-OP No.6.

- xiv. That it is also an admitted fact that the Hospital which is being run by the answering OP No.6 is in existence since 1979-81 and the applicant has never raised any dispute regarding the construction been done on the alleged Green Belt since its existence and thus, now after about more than 45 years the present OA has been filed which itself barred by limitation.
- xv. That the applicant had even filed false and frivolous applications/complaints against the answering OP No.6 before various authorities and the answering OP No.6 is being forced to appear and face all the harassments being cause at the behest of the applicant and such kind of application/complaints were also filed before OP No.1, upon which OP No.1 had even issued notices and in compliance to those notices the answering OP No.6 has even submitted the revised site plan in respect of the new construction been carried out and even the answering OP No.6 have represented OP No.1 for compounding of the Notice by allowing the site plan which is still under active consideration with OP No.1, however, due to the pendency of the present OA the applicant is pressurizing

the OP No.1 to not to take any decision on the application moved by the answering OP No.6.

16. **REPLY ON MERITS:-**

1-4 That the Contents of the said Paras are false and therefore, hence, denied except those that are matter of records. The applicant has invoked the jurisdiction of this hon'ble Tribunal by filing the present application under Section 18 (1) read with Section 14, 15 & 17 of the NGT Act, 2010 for the relief sought which infact is barred by limitation as briefly submitted in the preliminary objections. It is further submitted that the present application filed by the applicant is an abuse of process of law as has been explained in detail in the preliminary objections, and the same may be read as part of reply to these paras. The present application also deserves to be dismissed on the ground of concealment of facts as briefly mentioned in the preliminary objections.

17. **REPLY TO THE FACTS IN BRIEF:**

(i) That the contents of this para are admitted to the extent of the applicant is resident of OP No.5-Society, however, it is worth mentioning here that the residence of the applicant is far away from the premises of the answering OP No.6 and the rest averments made in the para are denied for want of knowledge.

- (ii) That the contents of this para are admitted only to the extent of respondent No.5 being represented through its president, however, it is absolutely wrong and denied that the applicant and several residence of OP No.5 are aggrieved by the fact that the answering OP No.6 inclusion and in connivance with the person of high influence are destroying the portion of land earmarked as Greed-Belt in the lay-Out plan of the society it is also wrong and denied that answering OP No.6 has illegally and unauthorizedly occupied about 3360 Sq. Yds. of the Green-Belt, which has been allocated as per the development scheme and town plan and thereafter raise building construction for commercial use of the same and is running a private hospital on the land allocated for the green belt. It is however, it is submitted that the answering OP has briefly mention all the details facts alongwith the supportive documents in the preliminary objection narrating the allotment of the lands by OP No.5 to build Mandir, Hospitals, Schools, other institutions and on the basis of the resolutions the land measuring 3360 Sq. Yds. was allotted to Shri Raghunath Mandir Society (who is not been made a party to the present lis) for developing Mandir and developing Hospital upon which the answering OP No.6 had constructed the Hospital way back in the year 1979-1981 and now after about 45 years the applicant is

racking up the issue for his vested interest whereas the application itself is hopelessly time barred.

- (iii) That the contents of this para are wrong and denied. It is however, submitted that the land measuring 81.93 Acres is concerning OP No.5 and has nothing to do with the answering OP No.6, however, It is wrong and denied that as per this lay-out plan, on both sides of the National Highway, a green belt having total length of about 1452 feet and a width of about 80 feet was reserved (About 12,906 sq.yards). It is wrong and denied that every plot in Aggar Nagar has been allotted a distinct house number, but the plot where the hospital is being constructed has not been assigned any such number. It is wrong and denied that at the time of registration of the society (Respondent no.5, herein), the society had submitted this Layout plan to the Office of Registrar, Co-op society at Ludhiana (respondent no.4) and the layout plan so retained by the office of co-op society still reflects green-belt on either side of the National Highway. It is however, submitted that the applicant in the present application is solely targeting answering OP No.6 of having constructed Hospital over the land measuring 3360 Sq. Yds. which as per him is a part of alleged Green-Belt having total length of about 1452 Feet and a

Width of about 40 Feet (about 12,906 Sq. Yds.), it is worth mentioning there that though there is no such Green-Belt as alleged by the applicant which would also be relevant from the fact that one of the residence namely Abhay Goel had approached the Hon'ble Punjab and Haryana High Court by filing CWP No.24438 of 2021 which was ultimately dismissed vide order dated 21.11.2023 as mentioned in the preliminary objections wherein even the Municipal Corporation Ludhiana while appearing had filed their reply dated 03.03.2022 stating that as per the site plan/layout plan of OP No.5 there is no existence of Green-Belt. That the applicant has cleverly mislead this hon'ble Tribunal by concealing the above round of litigation and furthermore the applicant has only chosen to target the answering OP No.6 who is running a Charitable Hospital though by mentioning it as a Private Hospital and moreover, the applicant has not chosen to make other Institutions as a party to the present application including the Raghunath Mandir Society which is adjacent with the answering OP No.6 and also various other Institution like Gurudwara, Arya Smajh Mandir, Petrol Pump and various other commercial establishment which are existing over the total piece of land measuring 12,906 Sq. Yds. alleged to be a Green Belt as per the averments of the applicant. That in addition

the contents of the preliminary objections may also be read as part of reply to the present para.

- (iv) That the contents of the para no. iv are wrong and denied. It is wrong and denied that apart from the fact that the land allocated for the green-belt could not have been occupied by the answering OP no.6-Hospital and could not have been used for commercial purpose of running a private hospital from there, it is also wrong and denied that the applicant has also learnt that the same is being done without obtaining any approval from the society concerned, like the municipal corporation or building planner, which has not only destroyed the amenities of the residents and children of the society to avail and have access to leisure time in green, open environment, it is also wrong and denied that it has also increased chaos and menace of extreme traffic congestion due to the haphazard parking of vehicles around it. It is further wrong and denied that it is apparent that connivance and collusion of some of the members and office bearers of the society and those of the respondent officials with the respondent hospital has permitted this illegality to continue unabated. However, in reply to contents of this para the detail facts mentioned in the preliminary objections may kindly be read as part and parcel.

- (v) That the contents of para v) are wrong and denied. It is wrong and denied that answering OP No.6-Hospital is in connivance with the respondent no.5 society. It is wrong and denied that this is apparent from the fact that many of the office bearers of respondent no.5 society have, at various times, also held positions in respondent no.6 hospital, and some of them continue to be office-bearers in both the society and the hospital. Moreover, the applicant has concealed material facts from this Hon'ble Tribunal which have been briefly discussed in the preliminary objection and the present OA is even hopelessly time barred which deserves to be dismissed.
- (vi) That the contents of this para are wrong and denied. It is wrong and denied that many of the residents of Aggar Nagar society raised concern and objections with regard to the fact that land use of about 3360 sq. yards of land from the earmarked green belt area was illegal and without an authority of law was being changed into commercial use for personal gains. That the contents with regard to the RTI applications are denied for want of knowledge and moreover, it is submitted that mere filing of the application under RTI Act does not give the cause of action to the applicant to approach this Hon'ble Tribunal as the same has been

discussed by this Hon'ble Tribunal in the Judgement of "Ajay Jayawantrao Bhosle Vs. Union of India".

- (vii) That in reply to the contents of the para No. vii that the applicant is trying to take the benefit of the National Forest Policy, Notifications, whereas the applicant has concealed the material facts from this Hon'ble Court with regard to the similar petition being preferred by one of the residence before the Hon'ble Punjab and Haryana High Court in CWP No.24438 of 2021 which was dismissed vide order dated 21.11.2023 and moreover, the applicant has also not able to justify his cause of action of filing the present application after a delay of about 45 years as briefly discussed in the preliminary objections and thus, on these grounds alone the present OA deserves to be dismissed.
- (viii) That in reply to the contents of para No. viii it is a matter of record that the OP No.1 had issued a notice dated 21.02.2025 to answering OP No.6, however, the answering OP No.6 is duly representing the OP No.1 in terms of the said notice and the said notice cannot be a ground or cause of action for the purpose of invoking the jurisdiction of this Hon'ble Tribunal in terms of Section 15 of the NGT Act.

- (ix) That the contents of this para are wrong and denied to the extent that upon the illegal and unauthorized constructions being carried on unabated in flagrant violation of law, the applicant on 25.02.2025 addressed a letter to the Municipal Corporation Ludhiana (MCL) requesting urgent and immediate action to be taken with respect to illegal construction of Shree Raghunath Hospital so as to be issued a “stop work” order on such construction as well as initiating appropriate legal actions for demolition of the authorized structure. However, in reply to contents of this para the detail facts mentioned in the preliminary objections may kindly be read as part and parcel.
- (x) That it is a matter of record that OP No.1 had issued an order dated 10.03.2025, however, it is wrong and denied that the said order was not been complied. Moreover, the applicant has concealed material facts from this Hon’ble Tribunal which have been briefly discussed in the preliminary objection and the present OA is even hopelessly time barred which deserves to be dismissed.
- (xi) That the contents of this para are denied for want of knowledge.
- (xii) That in reply to para No. xii it is a matter of record in respect of report dated 17.06.2025, however, the photographs are disputed

to its authenticity and it is however, submitted that answering OP No.6 has already submitted the building plan in respect of the newly constructed building with OP No.1 and has also given an application for compounding which is still pending consideration with OP No.1. Moreover, the detail facts mentioned in the preliminary objections may kindly be read as part and parcel.

(xiii & xiv) That the contents of these paras are wrong and denied, the answering OP No.6 never received the alleged notice dated 25.08.2025 and moreover, the applicant has also not able to justify his cause of action of filing the present application after a delay of about 45 years as briefly discussed in the preliminary objections and thus, on these grounds alone the present OA deserves to be dismissed.

05. That the contents of this Para are wrong and denied whereas it is submitted that the grounds taken by the applicant are totally misplaced and cannot be adjudicated by this Hon'ble Tribunal as the OA itself hopelessly time barred and does not even fulfills the ingredients as laid down in Section 15 of the NGT Act.

18. REPLY TO THE GROUNDS:

- A.** That the ground taken by the applicant is totally misplaced for the reason that there is no such alleged Green-Belt as alleged by the applicant which can be seen from the facts mentioned in the preliminary objections.
- B.** That the provisions of Forest Conservation Act as well as the National Forest Policy, 1988 as emphasized by the applicant is of no ground to the present lis as the Hospital constructed by the answering-OP No.6 was done in 1979-81 i.e. about 45 years back and the present OA is hopelessly time barred.
- C.to F.** That the case law of the Hon'ble Supreme Court as relied by the applicant does not applies in the present case as the applicant has mislead this Hon'ble Tribunal by concealing the fact that before the Hon'ble High Court in CWP No.24438 of 2021 the same ground was taken which was been rejected by the Hon'ble High Court vide order dated 21.11.2023 based upon the reply submitted by the OP No.1 stating therein that there is no existence of Green-Belt, thus, the case law relied upon the applicant has no relevance with the present case.
- G.** That in reply to the grounds taken in this para it is submitted that though the applicant is referring to Section 262 and Section 275 of the Punjab Municipal Act, 1976 and various other rules, however, the

applicant has failed to established its cause of action in filing the present application which is hopelessly time barred.

- H.** That in reply to the grounds taken in this para it is submitted that the answering OP No.6 in response to the demolition order has already represented OP no.1 by submitting the building plan and has also given an application for compounding which is pending consideration with OP No.1 and the applicant is trying to influence OP No.1 in order to harass the answering OP No.6 under the garb of filing of the present application which itself not maintainable.
- I.** That in reply to the grounds taken in this para it is submitted that the applicant has also not able to justify his cause of action of filing the present application after a delay of about 45 years as briefly discussed in the preliminary objections and thus, on these grounds alone the present OA deserves to be dismissed.
- J.** That in reply to the grounds taken in this para it is submitted that the detail facts mentioned in the preliminary objections may kindly be read as part and parcel.
- K.** That in reply to the grounds taken in this para it is submitted that the applicant has concealed material facts from this Hon'ble Tribunal which have been briefly discussed in the preliminary objection and

the present OA is even hopelessly time barred which deserves to be dismissed.

L. That in reply to the grounds taken in this para it is submitted that the answering OP had not violated any environmental norms which could reflect a lack of commitment to the preservation of Green Spaces mandated by various legal provisions and judicial precedents, however, it is submitted that the applicant has filed the present application for settling his personal vengeance towards the answering OP No.6 and also by misleading this Hon'ble Tribunal.

M. That in reply to the grounds taken in this para it is submitted that the applicant has misled this Hon'ble Court by projecting that the construction is been done over a Green-Belt area which is factually incorrect as per the detail fact mentioned in the preliminary objections.

06. Needs no reply.

07. LIMITATION

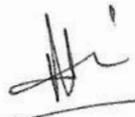
That in reply to this para it is submitted that the Applicant has very cleverly filed the present petition taking the cause of action from the application dated 25.02.2025 given to the Authorities but has concealed the fact that the answering OP No.6 is running the Hospital in

the building which was constructed in the year 1979-1981 i.e. about 45 years back and thus, the present application itself is hopelessly time barred in terms of Section 15 of the NGT Act which is a special enactment and hence there is a statutory prescription of special period of limitation under Section 15(3) of the said Act which is certainly exclude general law of limitation. It is further submitted that the present application is barred by limitation under Section 15 of the NGT Act, 2010 which prescribes a period of 5 years for filing an application from the date on which the cause of action for such dispute “First” arose extendable by a further period of 60 days thereafter, provided that the applicant may show sufficient cause that the applicant was prevented from filing such an application in time. Further the applicant has also sought to file an application under Section 15 read with Section 14 & 17 which also provide the aforesaid words “The Date”, “Cause of Action” and “First Arose”, hence the present application is hopelessly time barred and deserves to be dismissed.

07. PRAYER:

It is therefore respectfully prayed that the present OA deserves to be dismissed as the allegations made by the applicant are without any merits and thus, nothing survives in the present OA.

PLACE: CHANDIGARH
DATED: 01.01.2026


FOR OP NO.6

THROUGH COUNSELS



(VIKAS BALI) & (MOHIT KAPILA)
P/5/2003 P/309/2012
COUNSELS FOR THE OP NO. 6

VERIFICATION:-

It is verified that the contents of paras No.1 to 14 of Preliminary Objections, Paras No 1 to 7 of the Reply on Merit are true and correct to the best of our personal knowledge and belief and that we have not suppressed any material facts therein.

PLACE: CHANDIGARH
DATED: 01.01.2026


FOR OP NO.6

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, AT NEW DELHI**

ORIGINAL APPLICATION NO.502 OF 2025

ARVIND GOEL

...APPLICANT

VERSUS

MUNICIPAL CORPORATION, LUDHIANA & ORS

...OPP. PARTIES

Affidavit of Rajneesh Kumar Jain aged 64 years
S/o Padam Nath Jain, R/o House No. 515, Block
B, Aggar Nagar, Rajguru Nagar, S.O., District
Ludhiana having **Aadhar No. 9553 2855**

1706 & Mobile No.98140-39000

I, the above named deponent do hereby on solemn
affirmation declare as under:-

1. That the deponent is filing the accompanying Written Statement contents of which may be read as part and parcel to the present affidavit too.
2. That the deponent has gone through the contents of accompanying Written Statement which has been drafted as per my instructions and the same are true and correct to best of my knowledge and belief. Nothing material has been concealed or misstated therein.

*Vijay Pal, Adv.
21/1/2025
I Identify The Deponent Who Has
Signed/ Put T.I. In My Presence*

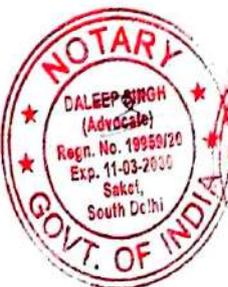
DATED: DELHI

DEPONENT

VERIFICATION:

05 JAN 2025

Verified that the contents of Paras of the affidavit are true to my knowledge. No part of it is false and nothing has been concealed therein.



DATED: DELHI

ATTESTED
DALEEP SINGH ADVOCATE
NOTARY DELHI-R-19959
GOVERNMENT OF INDIA
SUPREME COURT OF INDIA
CAMPUS NEW DELHI
SI No. 31

05 JAN 2025

DEPONENT

ATTESTED

NOTARY PUBLIC

ANNEXURE R-1

S. D. JAIN & ASSOCIATES

CHARTERED ACCOUNTANTS

235-C, G.T. Road, Miller Ganj,
LUDHIANA - 141003.
Phone: (O) 535732, (R) 444184, 443184

Ref. No. _____

Dated _____

FORM NO. 10 B

AUDIT REPORT UNDER SECTION 12(b) of the INCOME-TAX ACT, 1961 IN
THE CASE OF CHARITABLE OR RELIGIOUS TRUSTS OR INSTITUTIONS

We have examined the Balance Sheet of, SHREE RAGHUNATH HOSPITAL SOCIETY LUDHIANA as at 31.3.1998 and the Income & Expenditure Account for the year ended on that date which are in agreement the books of accounts maintained by the said trust.

We have obtained all the information and explanations which to the best of our knowledge and belief were necessary for the purpose of the audit. In our opinion, proper books of account have been kept by the abovenamed trust visited by us so far as appears from our examination of the books.

In our opinion and to the best of our information, and according to information given to us, the said accounts gives a true and fair view:-

- i) In the case of Balance Sheet, of the state of affairs of the abovenamed trust as at 31.3.1998 and
- ii) In the case of Income & Expenditure account, of the excess of Expenditure over Income of its accounting year ending on 31.3.1998.

The perscribed particulars are annexed hereto.

For S. D. JAIN & ASSOCIATES,
ACCOUNTANTS,



DATED : September 16, 1998
PLACE : LUDHIANA.

(S. D. JAIN)
PROP.

ANNEXURE

1. Application of Income for Charitable or religious purpose.
Amount of Income of the previous year : Rs. 3322093.00 as
Expenditure as per Income
& Expenditure Account,
Rs.225541.05 Fixed Assets
2. Whether the trust/Institutions has exercised the opinion under Clause (2) of the Explanations to Section 11(1), If so, the details of the amount of Income-demand to have been applied to Charitable or religious purpose in India during the previous year. : NIL
3. Amount of Income accumulated or set apart/finally set apart for application to finally set apart Charitable or religious purposes, to the extent it does not exceed 25% of income derived from property held under trust. Wholly/in part only for such purposes. : NIL
4. Amount of Income-eligible for exemption under section 11(1)(c) (given details) : NIL
5. Amount of Income, in addition to the amount referred to in item 3 above, accumulated or set apart for specified purposes under section 11(2) : NIL
6. Whether the amount of Income mentioned in item 5 above has been invested or deposited in the manner laid down in section 11(2)(b), If so, the details thereof. : NIL
7. Whether any any part of the income in respect of which an option was exercised under Clause(2) of the Explanations to section 11(1) in any earlier year is deemed to be Income of the previous year under section 11(1 B). If so, the details thereof. : NIL
8. Whether, during the previous year, any part of Income accumulated or set apart for specified purpose under section 11(2) in any earlier year. : NIL
 - (a) has been applied for purposes other than Charitable or religious purposes or has ceased to be accumulated or set apart for application thereto. of : NIL
 - (b) has ceased to remain invested in any security referred to in section 11(2) (b)(i) or deposited in any account referred to in section 11(2)(ii) or section 11(2)(iii), or : NIL
 - (c) has not been utilised for purposes for which it was accumulated or set apart during the period for which it was to be accumulated or set apart, or in the year immediately following the expiry thereof, if so, the details thereof.
- II) Application of use of Income or property for benefits of persons referred to in section 13(3)



1. Whether any part of the income or property of the trust was lent, or continuous to be lent, in the previous year to any person referred to in section 13(3) (herein-after referred to in this Annexure as such person) If so, give details of the amount rate of interest charge the nature of security if any. : NIL
 2. Whether any land, building or other property of the trust/institution was made, or continued to be made available for the use of any such person during the previous year. If so, give details of the property and the amount of rent or compensation charged, if any. : NIL
 3. Whether any payment was made to any such person during the previous year by way of salary, allowance or otherwise if so, give details. : NIL
 4. Whether the services of the trust/institutions were made available to any such person during the previous year? If so, give details thereof together with remuneration or compensation received, if any. : NIL
 5. Whether any share, security or other property was purchased by or on behalf of the trust/institution during the previous together with the consideration paid. : NIL
 6. Whether any income or property of the trust/institution was diverted during the previous year in favour of any such person. If so, give details thereof together with the amount of income or value of property so diverted. : NIL
 7. Whether any share, security or other property was sold by or on behalf of the trust/institution during the previous year to any such person? If so, give details thereof together with the consideration received. : NIL
 8. Whether the income or property of the trust/institution was used or applied during the previous year for the benefit of any such person in any other manner? If so, give details : NIL
- III. Investments held at any time during the previous year(s) in concern in which persons referred to in section 13(3) have a substantial interest. : NIL



S. D. JAIN & ASSOCIATES

CHARTERED ACCOUNTANTS

235-C, G.T. Road, Miller Ganj,
LUDHIANA - 141003
Phone : (O) 535732, (R) 444184, 443184

Ref. No. _____

Dated _____

AUDITOR'S REPORT

To,
The Members,
M/S Raghunath Hospital Society,
Aggar Nagar,
Ludhiana.

Sir,

We have audited the accounts of your Hospital for the year ending 01.04.97 to 31.03.98 and wish to report as under :-

1. That the herewith annexed Balance Sheet alongwith Income and Expenditure account has been complied from the books of account other related records and documents produced to us for our examination.
2. That the herewith annexed statement of accounts are in agreement with the books of accounts.
3. That the necessary books of accounts have been maintained.
4. That in our opinion and to the best of our information and according to the explanations given to us, the said accounts give a true and fair view:-
 - a) In the case of Balance Sheet of the state of affairs of the Hospital as at 31.03.1998 and
 - b) In the case of Income and Expenditure account, of the excess of Expenditure over Income for the year ending 31.03.1998.

DATED : September 16, 1998
PLACE : LUDHIANA.

For, S. D. JAIN & ASSOCIATES,
CHARTERED ACCOUNTANTS,
LUDHIANA
M NO 0674
S.D. JAIN)
PROP.

SHREE RESHINATH HOSPITAL SOCIETY, LUDHIANA.

BALANCE SHEET AS AT 31ST MARCH, 1998

LIABILITIES	AMOUNT	ASSETS	AMOUNT
	Rs. P.		Rs. P.
CAPITAL FUND		FIXED ASSETS	
Balance as per last Balance Sheet	3868174.32	As per Annexure 'A'	3352055.00
Less: Excess of Expenditure over Income during year	372665.50	CURRENT ASSETS	
	<u>3495508.82</u>	Cash & Bank Balance	
CURRENT LIABILITIES		Cash in Hand	7543.00
Sundry Creditors 'D'	141272.45	State Bank of India C/A	4074.90
Expenses Payable 'E'	277017.00	Punjab National Bank, Ldh. C/A	25262.32
Security Deposits	86100.00		<u>36880.22</u>
Advance against rent	1000.00	LOANS & ADVANCES	
Staff Security	7800.00	Sundry Advances 'B'	2300.00
	<u>513189.45</u>	Security Deposits 'C'	15840.00
		Advance to Staff	5800.00
		Rent receivable	50300.00
		Hospital Income Receivable	3000.00
		Income Tax	42523.00
			<u>119763.00</u>
TOTAL	<u>4008698.27</u>	TOTAL	<u>4008698.27</u>

[Signature]
PRESIDENT

[Signature]
SECRETARY

AUDITOR'S REPORT: As per our separate report of even date.

DATE : 16.09.1998
PLACE : LUDHIANA

For

 ASSOCIATES,
 CHARTERED ACCOUNTANTS,
 LUDHIANA,
 P.F.C.P.

SHREE RESHUNATH HOSPITAL SOCIETY, LUDHIANA.

INCOME AND EXPENDITURE ACCOUNT FOR THE YEAR ENDING 31.03.1998

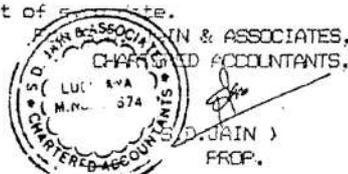
EXPENDITURE	AMOUNT		INCOME	AMOUNT	
	Rs.	P.		Rs.	P.
To Dispensary Exps	398329.00		By Hospital Income	2656225.00	
To Sanitary & Cleaning Exps	18449.00		By Donation/Subsription	142001.00	
To Printing & Stationery	46017.00		By Rent	36420.00	
To Generator Exps	12953.00		By Bank Interest	356.00	
To Legal Exps	13705.00		By Membership Fee	115000.00	
To Washing Exps	16958.00		By Licence Fee	54040.00	
To Conveyance Exps	5824.00		By Diff. in Trial Balance	24.50	
To Auditor's Remuneration	1500.00		By Excess of Expenditure over		
To Electricity Consumed	220598.00		Income tfd. to Capital Fund A/C	372665.50	
To Telephone Exps	40114.00				
To Salaries	1431025.00				
To Staff Welfare Exps	147560.00				
To Postage & Telegram	274.00				
To Building Repair	97959.00				
To Advertisement Exps	1917.00				
To Misc. Exps	29222.00				
To Sundry Repair & Maintenance	18958.00				
To Share to Doctors	278265.00				
To X-Ray Expenses	92528.00				
To Machinery Exps	5970.00				
To Professional Exps	4900.00				
To Ambulance Exps	39980.00				
To Surgical Exps	17721.00				
To Consumable Store	60039.00				
To Conveyance Allowance	88745.00				
To Watch & Ward Expenses	51582.00				
To Bank Commission	972.00				
To EFF & EFF & Other Charges	73720.00				
To Insurance	1987.00				
To Gratuity/Compensation Exps	4000.00				
To Cartage	100.00				
To Depreciation	584639.00				
TOTAL	3906732.00		TOTAL	3906732.00	

[Signature]
PRESIDENT

[Signature]
SECRETARY

AUDITOR'S REPORT: As per our separate report of _____ date.

DATE : 16.09.1998
PLACE: LUDHIANA



SHREE REGHUNATH HOSPITAL SOCIETY, LUDHIANA.

ANNEXURE 'A' OF FIXED ASSETS AS ON 31.03.1998

S. NO.	NAME OF THE ASSETS	WDV AS ON 01.04.97		ADDITIONS BEFORE 30.9.97		ADDITIONS AFTER 30.9.97		TOTAL	DEPRECIATION	WDV AS ON 31.03.98	
		Rs.	P.	Rs.	P.	Rs.	P.			Rs.	P.
1.	Land	33600.00		0.00		0.00		33600.00	0.00		33600.00
2.	Generator	102705.00		0.00		0.00		102705.00	25676.00		77029.00
3.	Calculator	887.00		0.00		0.00		887.00	89.00		798.00
4.	Building	2957171.00		0.00		94185.45		3051356.45	296188.00		2755168.45
5.	Dispensary Equipment	217819.00		7244.00		7942.00		233005.00	57259.00		175746.00
6.	Furniture & Fixture	209488.00		13080.00		7442.00		230010.00	22294.00		207716.00
7.	Surgical Equipment	97615.00		2237.00		7341.00		107193.00	25881.00		81312.00
8.	Air Conditioner	32475.00		73220.00		0.00		106695.00	26424.00		79271.00
9.	Cooler & Refrigerator	49607.00		1849.60		0.00		51456.60	12864.00		38592.60
10.	Water Tank	6381.00		0.00		0.00		6381.00	638.00		5743.00
11.	X-Ray Machine	41685.00		0.00		0.00		41685.00	10421.00		31264.00
12.	Fire Equipment	76.00		0.00		0.00		76.00	19.00		57.00
13.	Tubewell	31944.00		0.00		0.00		31944.00	3194.00		28750.00
14.	Van (Ambulance)	218857.00		0.00		0.00		218857.00	54714.00		164143.00
15.	Electric Motor	1232.00		0.00		0.00		1232.00	308.00		924.00
16.	Gas Cylinder	42024.00		0.00		0.00		42024.00	4202.00		37822.00
17.	Machinery	114298.00		0.00		0.00		114298.00	28574.00		85724.00
18.	Electric Installation	30143.00		0.00		0.00		30143.00	7536.00		22607.00
19.	Dustbin Carrier	1190.00		0.00		0.00		1190.00	119.00		1071.00
20.	Telephone Exchange	0.00		9000.00		0.00		9000.00	2250.00		6750.00
21.	Rehri	0.00		2000.00		0.00		2000.00	500.00		1500.00
22.	Television	21956.00		0.00		0.00		21956.00	5489.00		16467.00
	TOTAL	4211153.00		108630.60		116910.45		4436694.05	584639.00		3852055.05



SHREE REGHUNATH HOSPITAL SOCIETY. LUDHIANA.

ANNEXURE 'B' OF SUNDRY ADVANCES AS ON 31.03.1998

NAME	AMOUNT	
	Rs.	P.
M/S R.K.Dental Supply Co.	1300.00	
M/S Avery India Ltd.	500.00	
M/S Meera & Co. Ltd.	500.00	
TOTAL	2300.00	

ANNEXURE 'C' OF SECURITY DEPOSITS ON 31.03.1998

PARTICULARS	AMOUNT	
	Rs.	P.
Telephone Security	1000.00	
Electric Security	14840.00	
TOTAL	15840.00	



SWACHH LUDHIANA

ANNEXURE R-2



Municipal Corporation Ludhiana
PROPERTY TAX RETURN ASSESSMENT REPORT
Financial Year
2013-2014



UID No:- B035-06534

Form ID : 890328 / 2013-2014

Acknowledgement No. : 132270869810017469

Date : 25/02/2020

Property Details :	Property Type :	Non-Residential
Property No :	Exemption Category :	Non-Exempted
Property No :	House Tax Account :	0
Zone :	Block :	35
Area(sq. yds) :	Total Covered / Used Area (sq. feet) :	10800.00
Ward/Mohalla :	FEROZPUR ROAD (CANAL BRIDGE TO GURDEV HOSPITAL)	
Building Category :	Others (Residential, Hospitals/Nursing Home, Educational Institution, Hotels, Marriage Palace, Office etc.)	
Registered For :	Registered charitable and philanthropic organizations exempted from payment of the tax under the Income Tax Act, 1961 (Central Act 43 of 1961)	
Remarks :		

NO PHOTO AVAILABLE

SWACHH LUDHIANA

Ownership Details : Trust

Owner Name/Company	Father's/Husband's Name/Authorised Person	Mobile	Address
Dr. Raghunath Hospital Society	Rajneesh Kumar Jain	9814039000	B-XXXV-851/1B, Ferozpur Road, Ludhiana

Floor / Used Area Detail :

Floor / Used Area	Covered Area / Used Area	Use Factor	Structure Factor	Occupancy	Total Rent Collected	Months on Rent	Usage for Pending Months	Total Rooms on Rent	Floor / Used Area Tax
Ground Floor	7600.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					3,01,482.00
1st Floor	3000.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					2,025.00
2nd Floor	200.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Rented	240000.00	12			24,000.00

Tax Calculation

Gross Tax	Fire Cess	Rebate	Penalty	Interest	Exemption	Cancer Cess (Arrear)	Cancer Cess	Arrear / Adjusted Amt	Rebate (OTS)	Penalty (OTS)	Interest (OTS)	Payable Tax
3,27,507.00	2,400.00	2,400.00	0.00	0.00	303507.00	0.00	0.00	0.00	0.00	0.00	0.00	24,000.00

Payment Receipt

Return ID	890328	G8 Book No.	98435
Acknowledgement No.	132270869810017469	G8 Receipt No.	29
Transaction ID (for POS/Online Payments only)		Amount to be Paid	24,000.00
Payment Mode	Demand Draft	Amount Paid	24,000.00
Cheque/DD No.	015976	Bank Name	HDFC
Cheque/DD Date	24/02/2020	Prepared By	Nutan Vig (ZONE D)

Note:-

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Municipal Corporation Ludhiana

PROPERTY TAX RETURN ASSESSMENT REPORT

Financial Year

2014-2015



UID No:- B035-06534

Return ID : 977834 / 2014-2015 Acknowledgement No. : 132270874258667482 Date : 25/02/2020

Old Return ID : 890328 Dated. : 25/02/2020 Old G8 Receipt : 29 Old G8 Book No : 98435

Property Details :	Property Type :	Non-Residential
New Property No :	Exemption Category :	Non-Exempted
Property No :	House Tax Account :	0
Zone :	Block :	35
Plot Area(sq. yds) :	Total Covered / Used Area (sq. feet) :	10793.00
Colony/Mohalla :	FEROZPUR ROAD (CANAL BRIDGE TO GURDEV HOSPITAL)	
Building Category :	Commercial buidings including Restaurants (except multiplexes, malls, marriage palaces)	
Land Used For :	Others	
Remarks :		

NO PHOTO AVAILABLE

Ownership Details : Trust

Owner Name/Company	Father's/Husband's Name/Authorised Person	Mobile	Address
Shri Raghunath Hospital Society	Rajneesh Kumar Jain	9814039000	B-XXXV-851/1B, Ferozepur Road, Ludhiana

Floor / Used Area Detail :

Floor / Used Area	Covered Area / Used Area	Use Factor	Structure Factor	Occupancy	Total Rent Collected	Months on Rent	Usage for Pending Months	Total Rooms on Rent	Floor / Used Area Tax
Ground Floor	7593.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					45,558.00
Ground Floor - Vacant	22647.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					67,941.00
1st Floor	3000.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					9,000.00
2nd Floor	200.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Rented	240000.00	12			18,000.00

Tax Calculation

Gross Tax	Fire Cess	Rebate	Penalty	Interest	Exemption	Cancer Cess (Arrear)	Cancer Cess	Arrear / Adjusted Amt	Rebate (OTS)	Penalty (OTS)	Interest (OTS)	Payable Tax
1,40,499.00	14,050.00	14,050.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,40,499.00

Payment Receipt

Return ID	977834	G8 Book No.	98436
Acknowledgement No.	132270874258667482	G8 Receipt No.	3
Transaction ID (for POS/Online Payments only)		Amount to be Paid	1,40,499.00
Payment Mode	Demand Draft	Amount Paid	1,40,499.00
Cheque/DD No.	015977	Bank Name	HDFC
Cheque/DD Date	24/02/2020	Prepared By	Nutan Vig (ZONE D)

Note:-

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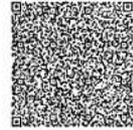
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Municipal Corporation Ludhiana

PROPERTY TAX RETURN ASSESSMENT REPORT

Financial Year
2015-2016



UID No:- B035-06534

Return ID : 1111725 / 2015-2016 Acknowledgement No. : 132270875987047557 Date : 25/02/2020

Old Return ID : 977834 Dated. : 25/02/2020 Old G8 Receipt : 3 Old G8 Book No : 98436

Property Details :	Property Type :	Non-Residential
New Property No :	Exemption Category :	Non-Exempted
Property No :	House Tax Account :	0
Zone :	Block :	35
Plot Area(sq. yds) :	Total Covered / Used Area (sq. feet) :	10800.00
Colony/Mohalla :	FEROZPUR ROAD (CANAL BRIDGE TO GURDEV HOSPITAL)	
Building Category:	Commercial buildings including Restaurants (except multiplexes, malls, marriage palaces)	
Land Used For :	Others	
Remarks:		

NO PHOTO
AVAILABLE

Ownership Details : Trust

Owner Name/Company	Father's/Husband's Name/Authorised Person	Mobile	Address
Shri Raghunath Hospital Society	Rajneesh Kumar Jain	9814039000	B-XXXV-851/1B, Ferozepur Road, Ludhiana

Floor / Used Area Detail :

Floor / Used Area	Covered Area / Used Area	Use Factor	Structure Factor	Occupancy	Total Rent Collected	Months on Rent	Usage for Pending Months	Total Rooms on Rent	Floor / Used Area Tax
Ground Floor	7600.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					45,600.00
Ground Floor - Vacant	22640.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					67,920.00
1st Floor	3000.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					9,000.00
2nd Floor	200.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Rented	276000.00	12			20,700.00

Tax Calculation

Gross Tax	Fire Cess	Rebate	Penalty	Interest	Exemption	Cancer Cess (Arrear)	Cancer Cess	Arrear / Adjusted Amt	Rebate (OTS)	Penalty (OTS)	Interest (OTS)	Payable Tax
1,43,220.00	14,322.00	14,322.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,43,220.00

Payment Receipt

Return ID	1111725	G8 Book No.	98436
Acknowledgement No.	132270875987047557	G8 Receipt No.	8
Transaction ID (for POS/Online Payments only)		Amount to be Paid	1,43,220.00
Payment Mode	Demand Draft	Amount Paid	1,43,220.00
Cheque/DD No.	015978	Bank Name	HDFC
Cheque/DD Date	24/02/2020	Prepared By	Nutan Vig (ZONE D)

Note:-

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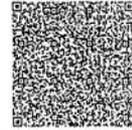
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Municipal Corporation Ludhiana
PROPERTY TAX RETURN ASSESSMENT REPORT
Financial Year
2016-2017



UID No:- B035-06534

Return ID : 489466 / 2016-2017 Acknowledgement No. : 132270877019627951 Date : 25/02/2020

Old Return ID : 1111725 Dated. : 25/02/2020 Old G8 Receipt : 8 Old G8 Book No : 98436

Property Details :		Property Type :		Non-Residential
New Property No :		Exemption Category :		Non-Exempted
Property No :	851/1B	House Tax Account :	0	
Zone :	ZONE D	Block :	35	
Plot Area(sq. yds) :	3360.00 Built Up	Total Covered / Used Area (sq. feet) :	10800.00	
Colony/Mohalla :		FEROZPUR ROAD (CANAL BRIDGE TO GURDEV HOSPITAL)		
Building Category:		Commercial buildings including Restaurants (except multiplexes, malls, marriage palaces)		
Land Used For :		Others		
Remarks:				

NO PHOTO
AVAILABLE

Ownership Details : Trust

Owner Name/Company	Father's/Husband's Name/Authorised Person	Mobile	Address
Shri Raghunath Hospital Society	Rajneesh Kumar Jain	9814039000	B-XXXV-851/1B, Ferozpur Road, Ludhiana

Floor / Used Area Detail :

Floor / Used Area	Covered Area / Used Area	Use Factor	Structure Factor	Occupancy	Total Rent Collected	Months on Rent	Usage for Pending Months	Total Rooms on Rent	Floor / Used Area Tax
Ground Floor - Vacant	22640.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					67,920.00
Ground Floor	7600.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					45,600.00
1st Floor	3000.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					9,000.00
2nd Floor	200.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Rented	276000.00	12			20,700.00

Tax Calculation

Gross Tax	Fire Cess	Rebate	Penalty	Interest	Exemption	Cancer Cess (Arrear)	Cancer Cess	Arrear / Adjusted Amt	Rebate (OTS)	Penalty (OTS)	Interest (OTS)	Payable Tax
1,43,220.00	14,322.00	14,322.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,43,220.00

Payment Receipt

Return ID	489466	G8 Book No.	98436
Acknowledgement No.	132270877019627951	G8 Receipt No.	11
Transaction ID (for POS/Online Payments only)		Amount to be Paid	1,43,220.00
Payment Mode	Demand Draft	Amount Paid	1,43,220.00
Cheque/DD No.	015979	Bank Name	HDFC
Cheque/DD Date	24/02/2020	Prepared By	Nutan Vig (ZONE D)

Note:-

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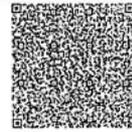


Municipal Corporation Ludhiana

PROPERTY TAX RETURN ASSESSMENT REPORT

Financial Year

2017-2018



UID No:- B035-06534

Return ID : 442173 / 2017-2018 Acknowledgement No. : 132270877808537462 Date : 25/02/2020

Old Return ID : 489466 Dated. : 25/02/2020 Old G8 Receipt : 11 Old G8 Book No : 98436

Property Details :		Property Type :		Non-Residential
New Property No :		Exemption Category :		Non-Exempted
Property No :	851/1B	House Tax Account :		0
Zone :	ZONE D	Block :		35
Plot Area(sq. yds) :	3360.00 Built Up	Total Covered / Used Area (sq. feet) :		10800.00
Colony/Mohalla : FEROZPUR ROAD (CANAL BRIDGE TO GURDEV HOSPITAL)				
Building Category: Commercial buildings including Restaurants (except multiplexes, malls, marriage palaces)				
Land Used For : Others				
Remarks:				

NO PHOTO AVAILABLE

Ownership Details : Trust

Owner Name/Company	Father's/Husband's Name/Authorised Person	Mobile	Address
Shri Raghunath Hospital Society	Rajneesh Kumar Jain	9814039000	B-XXXV-851/1B, Ferozepur Road, Ludhiana

Floor / Used Area Detail :

Floor / Used Area	Covered Area / Used Area	Use Factor	Structure Factor	Occupancy	Total Rent Collected	Months on Rent	Usage for Pending Months	Total Rooms on Rent	Floor / Used Area Tax
Ground Floor	7600.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					45,600.00
Ground Floor - Vacant	22640.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					67,920.00
1st Floor	3000.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					9,000.00
2nd Floor	200.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Rented	276000.00	12			20,700.00

Tax Calculation

Gross Tax	Fire Cess	Rebate	Penalty	Interest	Exemption	Cancer Cess (Arrear)	Cancer Cess	Arrear / Adjusted Amt	Rebate (OTS)	Penalty (OTS)	Interest (OTS)	Payable Tax
1,43,220.00	14,322.00	14,322.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,43,220.00

Payment Receipt

Return ID	442173	G8 Book No.	98436
Acknowledgement No.	132270877808537462	G8 Receipt No.	15
Transaction ID (for POS/Online Payments only)		Amount to be Paid	1,43,220.00
Payment Mode	Demand Draft	Amount Paid	1,43,220.00
Cheque/DD No.	015980	Bank Name	HDFC
Cheque/DD Date	24/02/2020	Prepared By	Nutan Vig (ZONE D)

Note:-

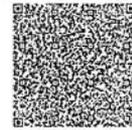
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Municipal Corporation Ludhiana
PROPERTY TAX RETURN ASSESSMENT REPORT
Financial Year
2018-2019



UID No:- B035-06534

Return ID : 351048 / 2018-2019 Acknowledgement No. : 13227088061747715 Date : 25/02/2020

Old Return ID : 442173 Dated. : 25/02/2020 Old G8 Receipt : 15 Old G8 Book No : 98436

Property Details :		Property Type :		Non-Residential
New Property No :		Exemption Category :		Non-Exempted
Property No :	851/1B	House Tax Account :		0
Zone :	ZONE D	Block :		35
Plot Area(sq. yds) :	3360.00 Built Up	Total Covered / Used Area (sq. feet) :		58800.00
Colony/Mohalla :	FEROZPUR ROAD (CANAL BRIDGE TO GURDEV HOSPITAL)			
Building Category:	Commercial buildings including Restaurants (except multiplexes, malls, marriage palaces)			
Land Used For :	Others			
Remarks:				

NO PHOTO
AVAILABLE

Ownership Details : Trust

Owner Name/Company	Father's/Husband's Name/Authorised Person	Mobile	Address
Shri Raghunath Hospital Society	Rajneesh Kumar Jain	9814039000	B-XXXV-851/1B, Ferozepur Road, Ludhiana

Floor / Used Area Detail :

Floor / Used Area	Covered Area / Used Area	Use Factor	Structure Factor	Occupancy	Total Rent Collected	Months on Rent	Usage for Pending Months	Total Rooms on Rent	Floor / Used Area Tax
Basement 1	2000.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					6,000.00
Ground Floor	17600.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					1,05,600.00
Ground Floor - Vacant	12640.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					37,920.00
1st Floor	19500.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					58,500.00
2nd Floor	19500.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					58,500.00
3rd Floor	200.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Rented	317400.00	12			23,805.00

Tax Calculation

Gross Tax	Fire Cess	Rebate	Penalty	Interest	Exemption	Cancer Cess (Arrear)	Cancer Cess	Arrear / Adjusted Amt	Rebate (OTS)	Penalty (OTS)	Interest (OTS)	Payable Tax
2,90,325.00	29,033.00	29,033.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,90,325.00

Payment Receipt

Return ID	351048	G8 Book No.	98436
Acknowledgement No.	13227088061747715	G8 Receipt No.	28
Transaction ID (for POS/Online Payments only)		Amount to be Paid	2,90,325.00
Payment Mode	Demand Draft	Amount Paid	2,90,325.00
Cheque/DD No.	015981	Bank Name	HDFC
Cheque/DD Date	24/02/2020	Prepared By	Nutan Vjg (ZONE D)

Note:-

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Municipal Corporation Ludhiana

PROPERTY TAX RETURN ASSESSMENT REPORT

Financial Year

2019-2020



UID No:- B035-06534

Return ID : 351743 / 2019-2020 Acknowledgement No. : 132270885370887437 Date : 25/02/2020

Old Return ID : 351048 Dated. : 25/02/2020 Old G8 Receipt : 28 Old G8 Book No : 98436

Property Details :		Property Type :		Non-Residential
New Property No :		Exemption Category :		Non-Exempted
Property No :	851/1B	House Tax Account :		0
Zone :	ZONE D	Block :		35
Plot Area(sq. yds) :	3360.00 Built Up	Total Covered / Used Area (sq. feet) :		58900.00
Colony/Mohalla : FEROPUR ROAD (CANAL BRIDGE TO GURDEV HOSPITAL)				
Building Category: Commercial buildings including Restaurants (except multiplexes, malls, marriage palaces)				
Land Used For : Others				
Remarks: Amount of Rs. 18930 received vide G8 Receipt 24/19609 dated 26/07/2022 against wrong assessment. 2013-2014 to 2021-2022				

NO PHOTO AVAILABLE

Ownership Details : Trust			
Owner Name/Company	Father's/Husband's Name/Authorised Person	Mobile	Address
Shri Raghunath Hospital Society	Rajneesh Kumar Jain	9814039000	B-XXXV-851/1B, Ferozepur Road, Ludhiana

Floor / Used Area Detail :									
Floor / Used Area	Covered Area / Used Area	Use Factor	Structure Factor	Occupancy	Total Rent Collected	Months on Rent	Usage for Pending Months	Total Rooms on Rent	Floor / Used Area Tax
Basement 1	2000.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					6,000.00
Ground Floor - Vacant	12540.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					37,620.00
Ground Floor	100.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Rented	219984.00	12			16,499.00
Ground Floor	17600.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					1,05,600.00
1st Floor	19500.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					58,500.00
2nd Floor	19500.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					58,500.00
3rd Floor	200.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Rented	317400.00	12			23,805.00

Tax Calculation

Gross Tax	Fire Cess	Rebate	Penalty	Interest	Exemption	Cancer Cess (Arrear)	Cancer Cess	Arrear / Adjusted Amt	Rebate (OTS)	Penalty (OTS)	Interest (OTS)	Payable Tax
3,06,524.00	30,652.00	30,652.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3,06,524.00

Payment Receipt

Return ID	351743	G8 Book No.	98436
Acknowledgement No.	132270885370887437	G8 Receipt No.	45
Transaction ID (for POS/Online Payments only)		Amount to be Paid	3,06,524.00
Payment Mode	Demand Draft	Amount Paid	3,06,524.00
Cheque/DD No.	015982	Bank Name	HDFC
Cheque/DD Date	24/02/2020	Prepared By	Nutan Vig (ZONE D)

Note:-

Printed On:- 12-08-2025 03:39:38 PM

- This PTR has been electronically submitted at <https://propertytax.mcludhiana.gov.in> on 25-02-2020 12:45:37 from IP address 122.173.68.16.
- The authenticity of this document can be verified using Return Id at the web link '<https://propertytax.mcludhiana.gov.in/VerifyPropertyTaxReceipt.aspx>'. Any discrepancy on this document as compared to those available on the verification web link renders this document invalid.
- The responsibility of verification of this document before accepting the same for any legal purposes would rest with the Institution / Organization / Company or any where this document is produced.

SWACHH LUDHIANA



Municipal Corporation Ludhiana

PROPERTY TAX RETURN ASSESSMENT REPORT

Financial Year
2020-2021

UID No:- B035-06534

Return ID : 2363513 / 2020-2021 Acknowledgement No. : 132458238921813441 Date : 29/09/2020

Old Return ID : 351743 Dated. : 25/02/2020 Old G8 Receipt : 45 Old G8 Book No : 98436

Property Details :	Property Type :	Non-Residential
New Property No :	Exemption Category :	Non-Exempted
Property No :	House Tax Account :	0
Zone :	Block :	35
Plot Area(sq. yds) :	Total Covered / Used Area (sq. feet) :	58900.00
Colony/Mohalla :	FEROZPUR ROAD (CANAL BRIDGE TO GURDEV HOSPITAL)	
Building Category :	Commercial buildings including Restaurants (except multiplexes, malls, marriage palaces)	
Land Used For :	Others	
Remarks :		

Ownership Details : Trust			
Owner Name/Company	Father's/Husband's Name/Authorised Person	Mobile	Address
Shri Raghunath Hospital Society	Rajneesh Kumar Jain	9814039000	B-XXXV-851/1B, Ferozpur Road, Ludhiana

Floor / Used Area Detail :							
Floor / Used Area	Covered Area / Used Area	Use Factor	Structure Factor	Occupancy	Annual Rent	Total Rooms on Rent	Floor / Used Area Tax
Basement 1	2000.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied			6000.00
Ground Floor	17600.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied			105600.00
Ground Floor	100.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Rented	219984.00		16499.00
Ground Floor - Vacant	12540.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied			37620.00
1st Floor	19500.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied			58500.00
2nd Floor	19500.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied			58500.00
3rd Floor	200.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Rented	317400.00		23805.00

Tax Calculation

Gross Tax	Fire Cess	Rebate	Penalty	Interest	Exemption	Cancer Cess	Arrear / Adjusted Amt	Rebate (OTS)	Penalty (OTS)	Interest (OTS)	Payable Tax
306524.00	30652.00	30652.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	306524.00

Payment Receipt

Return ID	2363513	G8 Book No.	96539
Acknowledgement No.	132458238921813441	G8 Receipt No.	6
Transaction ID (for POS/Online Payments only)		Amount to be Paid	306524.00
Payment Mode	Demand Draft	Amount Paid	306524.00
Cheque/DD No.	683074	Bank Name	Punjab National Bank
Cheque/DD Date	28/09/2020	Prepared By	Harsimran Kaur

Note:-

1. Payment received by cheque/demand draft shall be subject to realization.
2. This Document is not Proof of Ownership of Property.
3. Pay Property Tax online at <https://propertytax.mcludhiana.gov.in>
4. Helpline No. 84375-35700
5. Download Swachhata App to resolve complaints regarding Health/Sanitation & Sewerage.



Municipal Corporation Ludhiana

PROPERTY TAX RETURN ASSESSMENT REPORT

Financial Year

2021-2022



UID No:- B035-06534

Return ID : 95283 / 2021-2022

Acknowledgement No.: 132773677552358501

Date: 29/09/2021

Old Return ID : 2363513

Dated.: 29/09/2020

Old GR Receipt: 6

Old GR Book No.: 96539

Property Details:

New Property No.:

Property No.:

Zone:

Plot Area(sq. yds):

Colony/Mohalla:

Building Category:

Land Used For:

Remarks:

Property Type:

Exemption Category:

House Tax Account:

Block:

Total Covered / Used Area (sq. feet):

FEROZPUR ROAD (CANAL BRIDGE TO GURDEV HOSPITAL)

Commercial buildings including Restaurants (except multiplexes, malls, marriage palaces)

Others

Non-Residential

Non-Exempted

0.

35

58900.00

Ownership Details: Trust

Owner Name/Company

Father's/Husband's Name/Authorised Person

Mobile

Address

Shri Rajgurunath Hospital Society

Rajneesh Kumar Jain

9814039000

B-XXXXV-851/1B, Ferozepur Road, Ludhiana

Floor / Used Area Detail:

Floor / Used Area	Covered Area / Used Area	Use Factor	Structure Factor	Occupancy	Annual Rent	Total Rooms on Rent	Floor / Used Area Tax
Basement 1	2000.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied			6300.00
Ground Floor	17600.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied			110880.00
Ground Floor	100.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Rented	219984.00		16499.00
Ground Floor - Vacant	12540.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied			39501.00
1st Floor	19500.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied			61425.00
2nd Floor	19500.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied			61425.00
3rd Floor	200.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Rented	317400.00		23805.00

Tax Calculation:

Gross Tax: ₹ 319835.00

Fire Cess: ₹ 31984.00

Penalty: ₹ 0.00

Interest: ₹ 0.00

Rebate: ₹ 31984.00

Exemption Amount: ₹ 0.00

Arrears / Adjusted Amt: ₹ 0.00

Rebate (OTS): ₹ 0.00

Penalty (OTS): ₹ 0.00

Interest (OTS): ₹ 0.00

Net Payable Tax: ₹ 319835.00

Payment Receipt

Return ID: 95283

Acknowledgement No.: 132773677552358501

Total Amount to be Paid: ₹ 319835.00

Amount Paid: ₹ 319835.00

Payment Mode: Demand Draft

Transaction ID (for PQS/Online Payments only):

Cheque/DD No.: 003988

Cheque/DD Date: 29/09/2021

Bank Name: HDFC

GR Book No.: 120198

GR Receipt No.: 35

Prepared By: KARAN SHARMA

Note:-

1. Payment received by cheque/demand draft shall be subject to realization.
2. This Document is not Proof of Ownership of Property.
3. Pay Property Tax online at: <https://propertytax.mcludhiana.gov.in>
4. Helpline No. 84375-35700
5. Download Swachhata App to resolve complaints regarding Health/Sanitation & Sewerage.



AnyScan

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Municipal Corporation Ludhiana

PROPERTY TAX RETURN ASSESSMENT REPORT

Financial Year

2022-2023



UID No:- B035-06534

Return ID : 151943 / 2022-2023 Acknowledgement No. : 133089182991652434 Date : 29/09/2022

Old Return ID : 95283 Dated. : 29/09/2021 Old G8 Receipt : 35 Old G8 Book No. : 176198

Property Details :		Property Type :	Non-Residential
New Property No :		Exemption Category :	Non-Exempted
Property No :	851/1B	House Tax Account :	0
Zone :	ZONE D	Block :	35
Plot Area (sq. yds) :	3360.00 Built Up	Total Covered / Used Area (sq. feet) :	63098.00
Colony/Mohalla :	FEROZPUR ROAD (CANAL BRIDGE TO GURDEV HOSPITAL)		
Building Category :	Commercial buildings including Restaurants (except multiplexes, malls, marriage palaces)		
Land Used For :	Others		
Remarks :	DD Amount 676910-00		

Ownership Details : Trust

Owner Name/Company	Father's/Husband's Name/Authorised Person	Mobile	Address
Shri Raghunath Hospital Society	Rajneesh Kumar Jain	9814039000	B-XXXV-851/1B, Ferozepur Road, Ludhiana

Floor / Used Area Detail :

Floor / Used Area	Covered Area / Used Area	Use Factor	Structure Factor	Occupancy	Annual Rent	Total Room in Rent	Floor Area Tax
Basement 1	2000.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied			6530.00
Ground Floor	100.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Rented	5200000.00		390600.00
Ground Floor	21798.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied			144110.00
Ground Floor - Vacant	8342.00	Non-Residential	Not Applicable	Self Occupied			504.00
1st Floor	19500.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Rented	90000.00		6750.00
2nd Floor	19500.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied			64545.00
3rd Floor	200.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Rented	317400.00		23605.00

Tax Calculation

Gross Tax	Fire Cess	Rebate	Penalty	Interest	Exemption	Cancer Cess	Arrear / Adjusted Amt	Rebate (OTS)	Penalty (OTS)	Interest (OTS)	Payable Tax
663635.00	66364.00	66364.00	0.00	0.00	0.00	13273.00	0.00	0.00	0.00	0.00	676908.00

Payment Receipt

Return ID	151943	G8 Book No.	
Acknowledgement No.	133089182991652434	G8 Receipt No.	
Transaction ID (for POS/Online Payments only)		Amount to be Paid	676908.00
Payment Mode	Demand Draft	Amount Paid	676908.00
Cheque/DD No.	008228	Bank Name	HDFC
Cheque/DD Date	29/09/2022	Prepared By	Nutan Vija

Note:-

1. Payment received by cheque/demand draft shall be subject to realization.
2. This Document is not Proof of Ownership of Property.
3. Pay Property Tax online at <https://propertytax.mcludhiana.gov.in>
4. Helpline No. 84375-35700
5. Download Swachhata App to resolve complaints regarding Health/Sanitation & Sewerage.

SWACHH LUDHIANA



Municipal Corporation Ludhiana

PROPERTY TAX RETURN ASSESSMENT REPORT

Financial Year
2023-2024



UID No:- B035-06534

Return ID : 159998 / 2023-2024

Acknowledgement No. : 133405240044673540

Date : 30/09/2023

Old Return ID : 151943

Dated. : 29/09/2022

Old G8 Receipt : 21

Old G8 Book No : 121348

Property Details :		Property Type :	
New Property No :		Non-Residential	
Property No :	851/1B	Exemption Category :	Non-Exempted
Zone :	ZONE D	House Tax Account :	0
Plot Area(sq. yds) :	3360.00 Built Up	Block :	35
Colony/Mohalla :	FEROZPUR ROAD (CANAL BRIDGE TO GURDEV HOSPITAL)		
Building Category :	Commercial buildings including Restaurants (except multiplexes, malls, marriage palaces)		
Land Used For :	Others		
Remarks :			



Ownership Details : Trust

Owner Name/Company	Father's/Husband's Name/Authorised Person	Mobile	Address
Shri Raghunath Hospital Society	Rajneesh Kumar Jain	9814039000	B-XXXV-851/1B, Ferozpur Road, Ludhiana

Floor / Used Area Detail :

Floor / Used Area	Covered Area / Used Area	Use Factor	Structure Factor	Occupancy	Annual Rent	Total Rooms on Rent	Floor / Used Area Tax
Basement 1	2000.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied			6960.00
Ground Floor - Vacant Land	8342.00	Non-Residential	Not Applicable	Self Occupied			29030.00
Ground Floor	21798.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied			151496.00
Ground Floor	100.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Rented	8354383.00		626579.00
1st Floor	300.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Rented	90000.00		6750.00
1st Floor	19200.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied			66816.00
2nd Floor	19500.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied			67860.00
3rd Floor	200.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Rented	317400.00		23805.00

Tax Calculation

Gross Tax	Fire Cess	Rebate	Penalty	Interest	Exemption	Cancer Cess	Arrear / Adjusted Amt	Rebate (OTS)	Penalty (OTS)	Interest (OTS)	Payable Tax
979296.00	97930.00	97930.00	0.00	0.00	0.00	19586.00	0.00	0.00	0.00	0.00	998882.00

Payment Receipt

Return ID	159998	G8 Book No.	155970
Acknowledgement No.	133405240044673540	G8 Receipt No.	36
Transaction ID (for POS/Online Payments only)	42112120230929006900000017	Amount to be Paid	998882.00
Payment Mode	RTGS	Amount Paid	998882.00
Cheque/DD No.		Bank Name	
Cheque/DD Date		Prepared By	GURBAGH SINGH

Note:-

1. Payment received by cheque/demand draft shall be subject to realization.
2. This Document is not Proof of Ownership of Property.
3. Pay Property Tax online at <https://propertytax.mcludhiana.gov.in>



Municipal Corporation Ludhiana

PROPERTY TAX RETURN ASSESSMENT REPORT

Financial Year
2024-2025



UID No:- B035-06534

Return ID : 155828 / 2024-2025 Acknowledgement No. : 133717991755892467 Date : 26/09/2024

Old Return ID : 159998 Dated. : 30/09/2023 Old G8 Receipt : 36 Old G8 Book No : 155970

Property Details :		Property Type :	Non-Residential
New Property No :		Exemption Category :	Non-Exempted
Property No :	851/1B	House Tax Account :	0
Zone :	ZONE D	Block :	35
Plot Area(sq. yds) :	3360.00 Built Up	Total Covered / Used Area (sq. feet) :	63098.00
Colony/Mohalla : FEROZPUR ROAD (CANAL BRIDGE TO GURDEV HOSPITAL)			
Building Category: Commercial buildings including Restaurants (except multiplexes, malls, marriage palaces)			
Land Used For : Others			
Remarks:			

Ownership Details : Trust			
Owner Name/Company	Father's/Husband's Name/Authorised Person	Mobile	Address
Shri Raghunath Hospital Society	Rajneesh Kumar Jain	9814039000	B-XXXV-851/1B, Ferozepur Road, Ludhiana

Floor / Used Area Detail :									
Floor / Used Area	Covered Area / Used Area	Use Factor	Structure Factor	Occupancy	Total Rent Collected	Months on Rent	Usage for Pending Months	Total Rooms on Rent	Floor / Used Area Tax
Basement 1	2000.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					7,300.00
Ground Floor - Vacant Land	8342.00	Non-Residential	Not Applicable	Self Occupied					30,448.00
Ground Floor	21798.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					1,59,125.00
Ground Floor	100.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Rented	8354383.00	12			6,26,579.00
1st Floor	300.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Rented	90000.00	12			6,750.00
1st Floor	19200.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					70,080.00
2nd Floor	19500.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					71,175.00
3rd Floor	300.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Rented	317400.00	12			23,805.00

Tax Calculation

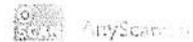
Gross Tax	Fire Cess	Rebate	Penalty	Interest	Exemption	Cancer Cess (Arrear)	Cancer Cess	Arrear / Adjusted Amt	Rebate (OTS)	Penalty (OTS)	Interest (OTS)	Payable Tax
9,95,262.00	99,526.00	99,526.00	0.00	0.00	0.00	35,866.00	19,905.00	0.00	0.00	0.00	0.00	10,51,033.00

Payment Receipt

Return ID	155828	G8 Book No.	157111
Acknowledgement No.	133717991755892467	G8 Receipt No.	44
Transaction ID (for POS/Online Payments only)		Amount to be Paid	10,51,033.00
Payment Mode	Demand Draft	Amount Paid	10,51,033.00
Cheque/DD No.	009157	Bank Name	HDFC
Cheque/DD Date	25/09/2024	Prepared By	Raman Khaira (ZONE D)

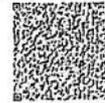
Note:-

1. This PTR has been electronically submitted at <https://mca21.abn.gov.in>





Municipal Corporation Ludhiana
PROPERTY TAX RETURN ASSESSMENT REPORT
 Financial Year
 2025-2026



UID No:- B035-06534

Return ID : 81220 / 2025-2026 Acknowledgement No. : 133093689611003673 Date : 11/08/2025

Old Return ID : 155828 Dated : 26/09/2024 Old GR Receipt : 44 Old GR Book No : 157111

Property Details :		Property Type :		Non-Residential
New Property No :		Exemption Category :		Non-Exempted
Property No :	851/1B	House Tax Account :		0
Zone :	ZONED	Block :		35
Plot Area(sq. yds) :	3360.00 Built Up	Total Covered / Used Area (sq. feet) :		81458.00
Colony/Mohalla : FEROPUR ROAD (CANAL BRIDGE TO GURDEV HOSPITAL)				
Building Category: Commercial buildings including Restaurants (except multiplexes, malls, marriage palaces)				
Land Used For: Others				
Remarks: AS PER HTI REPORT				

NO PHOTO AVAILABLE

Ownership Details : Trust			
Owner Name/Company	Father's/Husband's Name/Authorised Person	Mobile	Address
Shri Raghunath Hospital Society	Rajneesh Kumar Jain	9814039000	B-XXXV-851/1B, Ferozpur Road, Ludhiana

Floor / Used Area Details :									
Floor / Used Area	Covered Area / Used Area	Use Factor	Structure Factor	Occupancy	Total Rent Collected	Months on Rent	Usage for Pending Months	Total Rooms on Rent	Floor / Used Area Tax
Basement I	2000.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					7,680.00
Ground Floor	200.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Rented	1302000.00	12			9,76,500.00
Ground Floor	300.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Rented	120000.00	12			9,000.00
Ground Floor	21798.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					1,67,191.00
Ground Floor	1500.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Rented	1191600.00	12			89,370.00
Ground Floor	1458.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Un-Productive					5,599.00
Ground Floor	100.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Rented	180000.00	12			13,500.00
Ground Floor	4884.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Un-Productive					18,755.00
1st Floor	4884.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Un-Productive					9,377.00
1st Floor	450.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Rented	220000.00	12			16,500.00
1st Floor	19200.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					73,728.00
2nd Floor	19500.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Self Occupied					74,880.00
2nd Floor	4884.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Un-Productive					9,377.00
3rd Floor	300.00	Non-Residential	Pucca (Cemented Bricks Walled and Load bearing roof)	Rented	482740.00	12			36,206.00

Tax Calculation

Gross Tax	Fire Cess	Rebate	Penalty	Interest	Exemption	Cancer Cess (Arrear)	Cancer Cess	Arrear / Adjusted Amt	Rebate (OTS)	Penalty (OTS)	Interest (OTS)	Payable Tax
15,07,663.00	1,50,766.00	1,50,766.00	0.00	0.00	0.00	0.00	30,153.00	0.00	0.00	0.00	0.00	15,37,816.00

Payment Receipt

Return ID	81220	GR Book No.	155141
Acknowledgement No.	133093689611003673	GR Receipt No.	32
Transaction ID (for POS/Online Payments only)		Amount to be Paid	15,37,816.00
Payment Mode	Demand Draft	Amount Paid	15,37,816.00
Cheque/DD No.	004879	Bank Name	HDFC
Cheque/DD Date	11/08/2025	Prepared By	Gurleen Kaur (ZONE D)

Note:-

- This PTR has been electronically submitted at <https://propertytax.mcludhiana.gov.in> on 11-08-2025 12:26:00 from IP address 117.207.246.161.
- The authenticity of this document can be verified using Return Id at the web link <https://propertytax.mcludhiana.gov.in/VerifyPropertyTaxReceipt.aspx>. Any discrepancy in details on this document as compared to those available on the verification web link renders this document invalid.

Printed On:- 11-08-2025 12:26:03 PM

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ਫਾਰਮ ਜੀ-8
ਰੂਲ ਧਾਰਾ - IV

ਰਸੀਦ

ਨਗਰ ਨਿਗਮ ਲੁਧਿਆਣਾ

ਰਸੀਦ ਨੰ:

ਕਿਤਾਬ ਨੰ:

ਹੇਠ ਲਿਖੀ ਰਕਮ/ਨਕਦ ਦਾ ਅੱਜ ਚੈਕ ਪ੍ਰਾਪਤ ਹੋਈ/ਹੋਇਆ

14269

ਵਲੋਂ SHRI RAGUNATH HOSPITAL -03
ਪਤਾ B-XXXV AGRA MARKET - Ferozpur Road LDH

ਨਗਰ ਨਿਗਮ ਵਾਸਤੇ ਅਤੇ ਉਸਦੇ ਹਿਸਾਬ ਵਿਚ ਜਮ੍ਹਾਂ ਕੀਤੀ ਜਾਵੇਗੀ (ਚੈਕ ਕੈਸ਼ ਹੋਣ ਤੇ)

ਮੁਤਾਲਬਾ ਤੇ ਵਸੂਲੀ ਰਜਿਸਟਰ ਦਾ ਹਵਾਲਾ	PP	ਰਕਮ ਦਾ ਵੇਰਵਾ	ਰਕਮ	
1		2	3	
New Assessment B-XXXV Ferozpur Rd		Disposal 11/10 to 31/3/19 DD. 006468 HDFC 13/3/19	ਰੁਪਏ 3,50,000 =	ਪੈਸੇ 00
		Rs. Three Lac fifty thousand only ਜੋੜ	3,50,000 =	00

ਰੋਜ਼ ਦਾ ਚਾਲੂ ਜੋੜ

ਤਾਰੀਖ ਵਸੂਲੀ

14/3/19

Column 1 and the daily total should be filled
in only on the carbon copy retained for record.

ਰਸੀਦ ਜਾਰੀ ਕਰਨ ਵਾਲੇ ਅਫਸਰ ਦੇ ਹਸਤਾਖਰ

Form G-8
Rule Section – IV

RECEIPT
MUNICIPAL CORPORATION LUDHIANA

Receipt No.03

Book No.14269

The Following amount/cash has been received today by cheque

From SHRI RAGUNATH HOSPITAL

Resident B-XXXV Aggar Nagar Ferozepur Road LDH

Shall be deposited for and on account of Municipal Corporation
(upon encashment of the cheque).

Reference of the Demand and Recovery Register	Details of the Amount	Amount	
1	2	3	
New Assessment B-XXXV Ferozepur Rd.	Disposal 1/1/10 to 31/3/19 DD. 006568 / 13.03.19 HDFC Rs. Three Lac Fifty Thousand only	Rupee 3,50,000	Paisa 00
	Total	3,50,000	00

Daily Running Total

Date of Recovery 14.03.2019

Column I and the daily total should be filed
In only on the carbon copy retained for record.

Sd/-
Signature of the Officer issuing the receipt.

ਫਾਰਮ ਜੀ-8
ਰੁਲ ਧਾਰਾ - IV

ਰਸੀਦ
ਨਗਰ ਨਿਗਮ, ਲੁਧਿਆਣਾ

ਰਸੀਦ ਨੰ: 311

ਕਿਤਾਬ ਨੰ: 20840
ਹੇਠ ਲਿਖੀ ਰਕਮ/ਨਕਦ ਦਾ ਅੱਜ ਚੈਕ ਪ੍ਰਾਪਤ ਹੋਈ/ਹੋਇਆ
ਵਲੋਂ... ਸ੍ਰੀ. ਕਪੂਲਾਥ ਹਸਪਤਾਲ
ਪਤਾ... B-35-851/1-B, ਕੋਲਾਪੁਰੇ ਨਗਰ,
ਲੁਧਿਆਣਾ

ਨਗਰ ਨਿਗਮ ਵਾਸਤੇ ਅਤੇ ਉਸਦੇ ਹਿਸਾਬ ਵਿਚ ਜਮ੍ਹਾਂ ਕੀਤੀ ਜਾਵੇਗੀ (ਚੈਕ ਕੈਸ਼ ਹੋਣ ਤੇ)

ਮੁਤਾਲਬਾ ਤੇ ਵਸੂਲੀ ਰਜਿਸਟਰ ਦਾ ਹਵਾਲਾ	UID No. B035-06534 ਰਕਮ ਦਾ ਵੇਰਵਾ RID No: 351048 (18-19)	ਰਕਮ	
1	2	ਰੁਪਏ	ਪੈਸੇ
B-35-851/1-B B-35-851 1-B	P-Tax 2013-14 TO 21-22 Diff Paid Rs Punjab National Bank, Agwal Nagar LDH DD No. 683664 dt. 21-7-25 Rs = 405276-	405276-	
	ਕਾਰਜ ਪ੍ਰਬੰਧਕ ਦੇ ਕੇ ਹਿੱਸੇ 405276 ਜੋੜ	405276-	

ਰੋਜ਼ ਦਾ ਚਾਲੂ ਜੋੜ

ਤਾਰੀਖ ਵਸੂਲੀ

Column I and the daily total should be filled
in only on the carbon copy retained for record.

ਰਸੀਦ ਜਾਰੀ ਕਰਨ ਵਾਲੇ ਅਫਸਰ ਦਾ ਹਸਤਾਖਰ

31/7/25

Form G-8
Rule Section – IV

RECEIPT
MUNICIPAL CORPORATION LUDHIANA

Receipt No.45

Book No.20840

The Following amount/cash has been received today by cheque

From SHRI RAGUNATH HOSPITAL

Resident B-35-851/1-B Ferozepur Road LDH

Shall be deposited for and on account of Municipal Corporation
(upon encashment of the cheque).

Reference of the Demand and Recovery Register	Details of the Amount	Amount	
1	2	3	
B-35-851/1-B B-35-851/1-B	UID No. B035-06534 RID No. 351048 (18-19) P-Tax/2013-14 to DIFF P-Tax/21-22 Diff Paid Rs. Punjab National Bank Aggar Nagar LDH D.D No. 683664 dt. 31.7.25 Rs.405276 Four Lakh Five Thousand Two Hundred Seventy Six	Rupee 4,05,276	Paisa 00
	Total	4,05,276	00

Daily Running Total

Date of Recovery

Column I and the daily total should be filed
In only on the carbon copy retained for record.

Sd/-31.07.2025

Signature of the Officer issuing the receipt.

ਵਾਰਮ ਜੀ-8
ਕੂਲ ਧਾਰਾ - IV

ਰਸੀਦ
ਨਗਰ ਨਿਗਮ, ਲੁਧਿਆਣਾ

ਰਸੀਦ ਨੰ: 50

ਕਿਰਾਏ ਨੰ: ਹੇਠ ਲਿਖੀ ਰਕਮ/ਨਕਦ ਦਾ ਅੱਜ ਚੈਕ ਪ੍ਰਾਪਤ ਹੋਈ/ਹੋਇਆ

20361

ਵਲੋ *Shree Kishan Math. Ind. Pktd.*
ਪਤਾ *B. XTR 851/1B 21st 5/1/22*

ਨਗਰ ਨਿਗਮ ਵਾਸਤੇ ਅਤੇ ਉਸਦੇ ਹਿਸਾਬ ਵਿਚ ਜਮ੍ਹਾਂ ਕੀਤੀ ਜਾਵੇਗੀ (ਚੈਕ ਕੈਸ਼ ਹੋਣ ਤੇ)

ਮੁਤਾਲਬਾ ਤੇ ਵਸੂਲੀ ਰਜਿਸਟਰ ਦਾ ਹਵਾਲਾ	ਰਕਮ ਦਾ ਵੇਰਵਾ	ਰਕਮ	
1	2	ਰੁਪਏ	ਪੈਸੇ
<p><i>22/1/22</i> <i>95983</i></p> <p><i>24 005435</i></p> <p><i>11/9/23</i></p>	<p><i>P.P.</i></p> <p><i>Receipts Tax</i></p> <p><i>Diff 21314 T. 21-22</i></p> <p><i>part</i></p> <p><i>payment</i></p> <p><i>1012 25ms</i></p> <p><i>ਜੋੜ</i></p>	<p><i>2000000</i></p>	<p><i>00</i></p>
		<p><i>ਜੋੜ 90,00,000</i></p>	

ਚੈੱਜ ਦਾ ਚਾਲੂ ਜੋੜ

22/9/22 ਤਾਰੀਖ ਵਸੂਲੀ

Column I and the daily total should be filled
in only on the carbon copy retained for record.

ਰਸੀਦ ਜਾਰੀ ਕਰਨ ਵਾਲੇ ਅਫਸਰ ਦੇ ਹਸਤਾਖਰ

DM

Form G-8

Rule Section – IV

RECEIPT
MUNICIPAL CORPORATION LUDHIANA

Receipt No.50

Book No.220361

The Following amount/cash has been received today by cheque

From SHRI RAGUNATH HOSPITAL

Resident B-XIX 851/1-B Ferozepur Road LDH

Shall be deposited for and on account of Municipal Corporation

(upon encashment of the cheque).

Reference of the Demand and Recovery Register	Details of the Amount	Amount	
1	2	3	
2-21-22 95283	Proport Tax Diff 2013-14 to 21-22 Part payment Dx 005435/11.9.23 (Twenty Lakh Only)	Rupee 20,00,000	Paisa --
	Total	20,00,000	--

Daily Running Total

Date of Recovery 23.09.2023

Column I and the daily total should be filed
In only on the carbon copy retained for record.

Sd/-
Signature of the Officer issuing the receipt.

ਕਿਤਾਬ ਨੰ: ਨਗਰ ਨਿਗਮ ਲੁਧਿਆਣਾ ਰਸੀਦ ਨੰ: 9079

ਹੇਠ ਲਿਖੀ ਰਕਮ/ਨਕਦ ਦਾ ਅੱਜ ਚੈਕ ਪ੍ਰਾਪਤ ਹੋਈ/ਹੋਇਆ ਵਲੋਂ Shree Raghunath Hospital

ਪਤਾ 3-35-85/1/B

ਨਗਰ ਨਿਗਮ ਵਾਸਤੇ ਅਤੇ ਉਸਦੇ ਹਿਸਾਬ ਵਿਚ ਜਮ੍ਹਾਂ ਕੀਤੀ ਜਾਵੇਗੀ (ਚੈਕ ਕੈਸ਼ ਹੋਣ ਤੇ)

ਮੁਤਾਲਬਾ ਤੇ ਵਸੂਲੀ ਰਜਿਸਟਰ ਦਾ ਹਵਾਲਾ	ਰਕਮ ਦਾ ਵੇਰਵਾ	ਰਕਮ	
1	2	ਰੁਪਏ	ਪੈਸੇ
	<u>Deffrente Property Tax</u>	18930	00
	2013-2014 To 2021-22 35743 = 23/9/20 9465 - 9465 - 18930 - Chk no 003966 27/7/2022 H.O. for Bank Jm Jais ਜੋਤ	18930	00
ਚੈਕ ਦਾ ਚਾਲੂ ਜੋਤ	ਤਾਰੀਖ ਵਸੂਲੀ	ਰਸੀਦ ਜਾਰੀ ਕਰਨ ਵਾਲੇ ਅਫਸਰ ਦੇ ਹਸਤਾਖਰ	

Column 1 and the daily total should be filled in only on the carbon copy retained for record.

ਵਾਰਮ ਜੀ-8 ਰਸੀਦ ਨੰ: 44

ਰੂਲ ਧਾਰਾ - IV ਨਗਰ ਨਿਗਮ ਲੁਧਿਆਣਾ

ਕਿਤਾਬ ਨੰ: ਹੇਠ ਲਿਖੀ ਰਕਮ/ਨਕਦ ਦਾ ਅੱਜ ਚੈਕ ਪ੍ਰਾਪਤ ਹੋਈ/ਹੋਇਆ

ਵਲੋਂ Shri Raghunath Hospital Society Best Care of

ਪਤਾ B-35-85/1/B B. R. Catur (Gidra)

ਨਗਰ ਨਿਗਮ ਵਾਸਤੇ ਅਤੇ ਉਸਦੇ ਹਿਸਾਬ ਵਿਚ ਜਮ੍ਹਾਂ ਕੀਤੀ ਜਾਵੇਗੀ (ਚੈਕ ਕੈਸ਼ ਹੋਣ ਤੇ)

ਮੁਤਾਲਬਾ ਤੇ ਵਸੂਲੀ ਰਜਿਸਟਰ ਦਾ ਹਵਾਲਾ	ਰਕਮ ਦਾ ਵੇਰਵਾ	ਰਕਮ	
1	2	ਰੁਪਏ	ਪੈਸੇ
	<u>Diff Property Tax</u>	579375	00
	2013-2014 To 2021-22 08 003857 25/7/2022 H.O. for Bank ਜੋਤ	579375	00
ਚੈਕ ਦਾ ਚਾਲੂ ਜੋਤ	ਤਾਰੀਖ ਵਸੂਲੀ	ਰਸੀਦ ਜਾਰੀ ਕਰਨ ਵਾਲੇ ਅਫਸਰ ਦੇ ਹਸਤਾਖਰ	

Column 1 and the daily total should be filled in only on the carbon copy retained for record.

Form G-8
Rule Section – IV

RECEIPT
MUNICIPAL CORPORATION LUDHIANA

Receipt No.24

Book No.9699

The Following amount/cash has been received today by cheque

From SHRI RAGUNATH HOSPITAL

Resident B-35- 851/1-B

Shall be deposited for and on account of Municipal Corporation
(upon encashment of the cheque).

Reference of the Demand and Recovery Register	Details of the Amount	Amount	
1	2	3	
	Deference Property Tax 2013 to 14 to 2021-22 Xx 351743 = 2019-20 9465+9465/18930 Ch No. 003966/27.07.2022 HDFC Bank (Eighteen Thousand Nine Hundred Thirty only)	Rupee 18,930	Paisa --
	Total	18,930	--

Daily Running Total

Date of Recovery 26.07.2022

Column I and the daily total should be filed
In only on the carbon copy retained for record.

Sd/-
Signature of the Officer issuing the receipt.

Form G-8
Rule Section – IV

RECEIPT
MUNICIPAL CORPORATION LUDHIANA

Receipt No.44

Book No.20840

The Following amount/cash has been received today by cheque
From SHRI RAGUNATH HOSPITAL Society Bes care of B. R
caters

Resident B-35 851/1-B Ferozepur Road LDH

Shall be deposited for and on account of Municipal Corporation
(upon encashment of the cheque).

Reference of the Demand and Recovery Register	Details of the Amount	Amount	
1	2	3	
RiD 2021-2022 95283	Part Present Notice No 1/520 dt. 24.6.22 Diff Propert Tax 2013-14 to 2021-2022 Cq. 003957/25.7.2022 HDFC Bank (Fifty Lakh Seventy Nine Thousand Three Hundred Seventy Five only)	Rupee 5,79,375	Paisa --
	Total	5,79,375	--

Daily Running Total

Date of Recovery 26.07.2022

Column I and the daily total should be filed
In only on the carbon copy retained for record.

Sd/-
Signature of the Officer issuing the receipt.

ANNEXURE R-3

GOVERNMENT OF INDIA
COMMISSIONER OF INCOME TAX,
PATIALA.

No. Judd/Reg. CB/80-81/18-R Dated, Patiala, the

Shree Raghunath Hospital Society, Aggar Nagar, Part-II,
Ludhiana

is constituted by the Trust Deed/Memorandum of Association dated / has filed the registration application under section 12-A(a) of the Income-tax Act, 1961 in the prescribed form on 15-10-1980 i.e. within the stipulated time limit.

The application has been entered at No. 18-R in the register of applications under section 12-A(a) maintained in this office.

is registered with the Registrar of Societies on 9.5.1980.

(S. C. P. S. - 18-R)
Commissioner of Income-tax
Patiala.

Note:-

- This registration is granted only for the purposes of section 11 and 12 of the Income-tax Act, 1961 and should not be construed to confer approval for the purpose of section 30-G of the Act or for any other purpose.
- This certificate of registration under section 12-A(a) of the Income-tax Act, 1961 does not by itself confer any right on any Trust, Institutions to claim exemption for tax in respect of its income in as much as such exemption depends on the satisfaction of all other conditions in this behalf laid down in sections 11, 12, 12A(a) and 13 of the Income-tax Act.

Copy to :-

1. Head. AD. The Secretary, Shree Raghunath Hospital Society,
Aggar Nagar Part-II, Ludhiana.

2. Head. The Income-tax Officer, District I(7), Ludhiana
alongwith Form 10-10-A

3. The Inspecting Assistant Commissioner of Income-tax,
Range-I, Ludhiana.

For Shree Raghunath Hospital Society

President

Secretary

(S. C. P. S. - 18-R)
Income-tax Officer (Ad.)
for Commissioner of Income-tax

ANNEXURE R-3**GOVERNMENT OF INDIA
COMMISSIONER OF INCOME TAX,
PATIALA**

No. Joo1/Aug.CH/80-81/18-R Dated, Patiala the

Shree Raghunath Hospital Society, Aggar Nagar, Part-II,
Ludhiana.

as constituted by the Registered/Memorandum of Association
dated / has filed the registration application under form on
15.10.1980 i.e. within stipulated time limit.

2. The application has been entered at No. 18-R in the
Register of applications under Section 12-A(A) maintained in
this office.

Registered with the Registrar
Of Societies on 9.5.1980

Sd/-
Commissioner of Income-Tax
Patiala.

Note:-

1. This registration is granted only for the purpose of Section
11 and 12 of the Income-tax Act, 1961 and should not be
construed to confer approval for the purpose of section 80-G of
the Act or for any other purpose.

2. This certificate of registration under section 12-A(a) of the
Income-tax Act, 1961 does not by itself confer any right on any
Trust, Institutions to claim exemption for tax in respect of its

income in as much as such exemption depends on the satisfaction of all other conditions in this behalf laid down in sections 11,12, 12A(a) and 13 of the Income-tax Act.

Copy to:-

1. Rtegd. Ad. The Secretary, Shree Raghunath Hospital Society, Aggar Nagar, Part-II, Ludhiana.
- 2 Rtegd. The Income-tax Officer, District I(7), Ludhiana alongwith Form No.10-A
3. The Inspecting Assistant Commissioner of Income-tax, Ranga-I, Ludhiana.

For Shree Raghunath Hospital Society

Sd/-

President Secretary

Sd/-
(B.D. Seth)
Income-tax Officer, (Jud.)
For Commissioner of Income-tax

ANNEXURE R-4

FORM 26-G
[See Rule 122-F]

Certificate of renewal of licence to operate a Blood Centre for processing of whole human blood and/or for preparation for sale or distribution of its components.

1. Certified that License No. 1918-B granted on 16-10-2015 to blood Centre of M/s Shree Raghunath Hospital Society (Regd.), for the operation of a Blood Centre for processing of whole human blood and/or for preparation of its components at the premises situated at: Agar Nagar, Ferozepur Road, Ludhiana. District: Ludhiana (Punjab), is hereby renewed with effect from 16-10-2020 to 15-10-2025.

2. Names of items:

- (i) Whole Human Blood I.P.
- (ii) Packed Red Blood Cells I.P.
- (iii) Fresh Frozen Plasma B.P.
- (iv) Platelet Concentrate U.S.P.
- (v) Apheresis (Platelets, Single Donor)

3. Names of the competent Technical Staff:-

(i)	Dr. Ameena Gupta	M.D. Pathology	B.T.O.
(ii)	Dr. Sahil Bansal	M.B.B.S.	B.T.O.
(iii)	Mrs. Kamaljit Kaur	G.N.M.	Regd. Nurse
(iv)	Mr. Nobel J. Bedi	B.Sc. MLT	Tech. Supervisor
(v)	Mrs. Rajwinder Kaur	B.Sc. MLT	Tech. Supervisor
(vi)	Mr. Tarsem Singh	DMLT	Lab. Technician
(vii)	Mrs. Usha Tiwari	DMLT	Lab. Technician
(viii)	Mr. Lovepreet Singh	B.Sc. MLT	Lab. Technician
(ix)	Mr. Suresh Kashyap	DMLT	Lab. Technician

Central License Approving Authority
Dr. V. G. SOMANI
Drugs Controller General (India)
Dtg. General Administration Services
Ministry of Health & Family Welfare
FDA Bhawan, Connaught Place, N.T.O.
New Delhi-110002

Signature of
Signalizing Commission (Drugs)-cum-
Name of the Signatory
Licence for Drugs Administration, Punjab,
Gy

Dated: _____



Block-A Plan R-5















Photo-B R-6





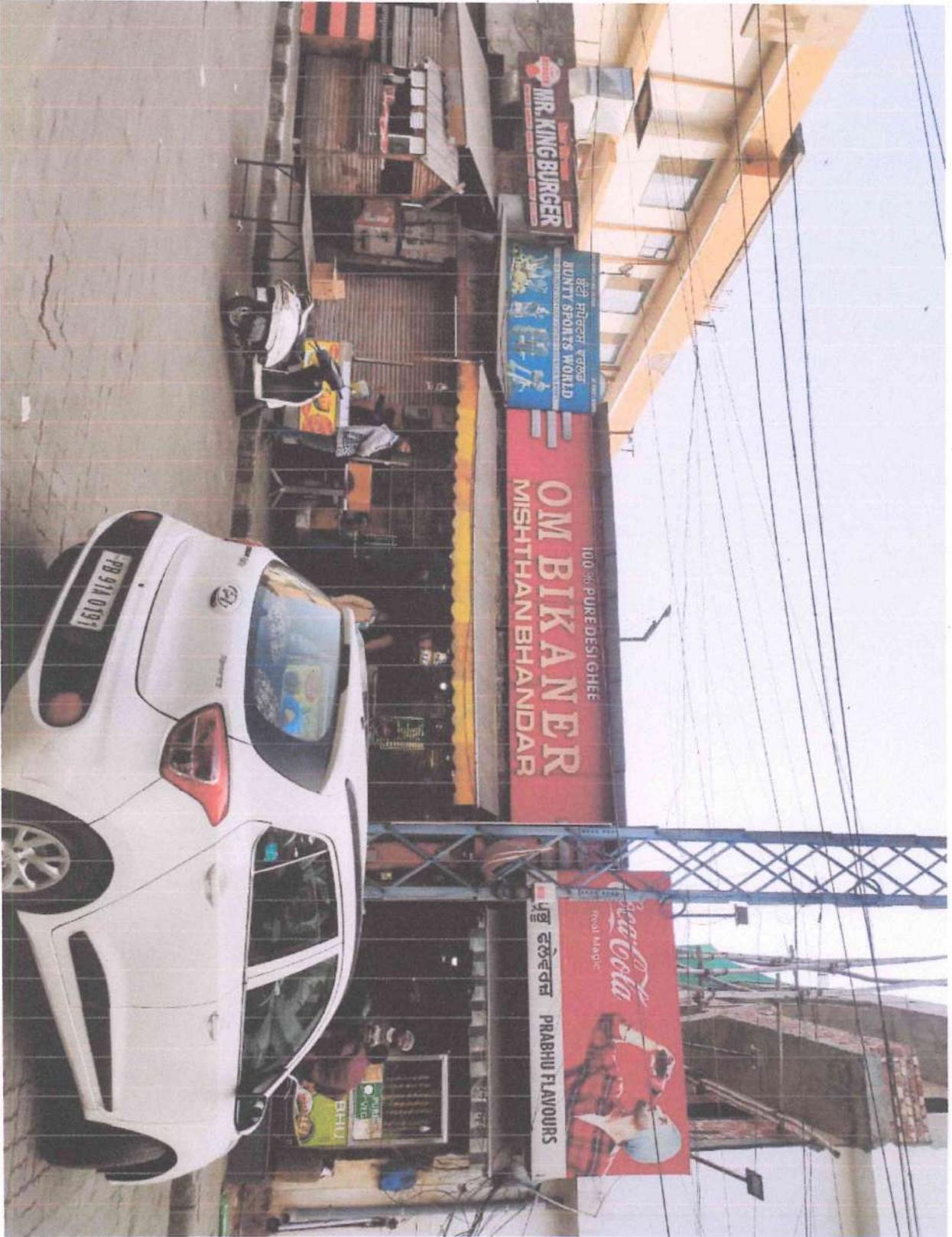






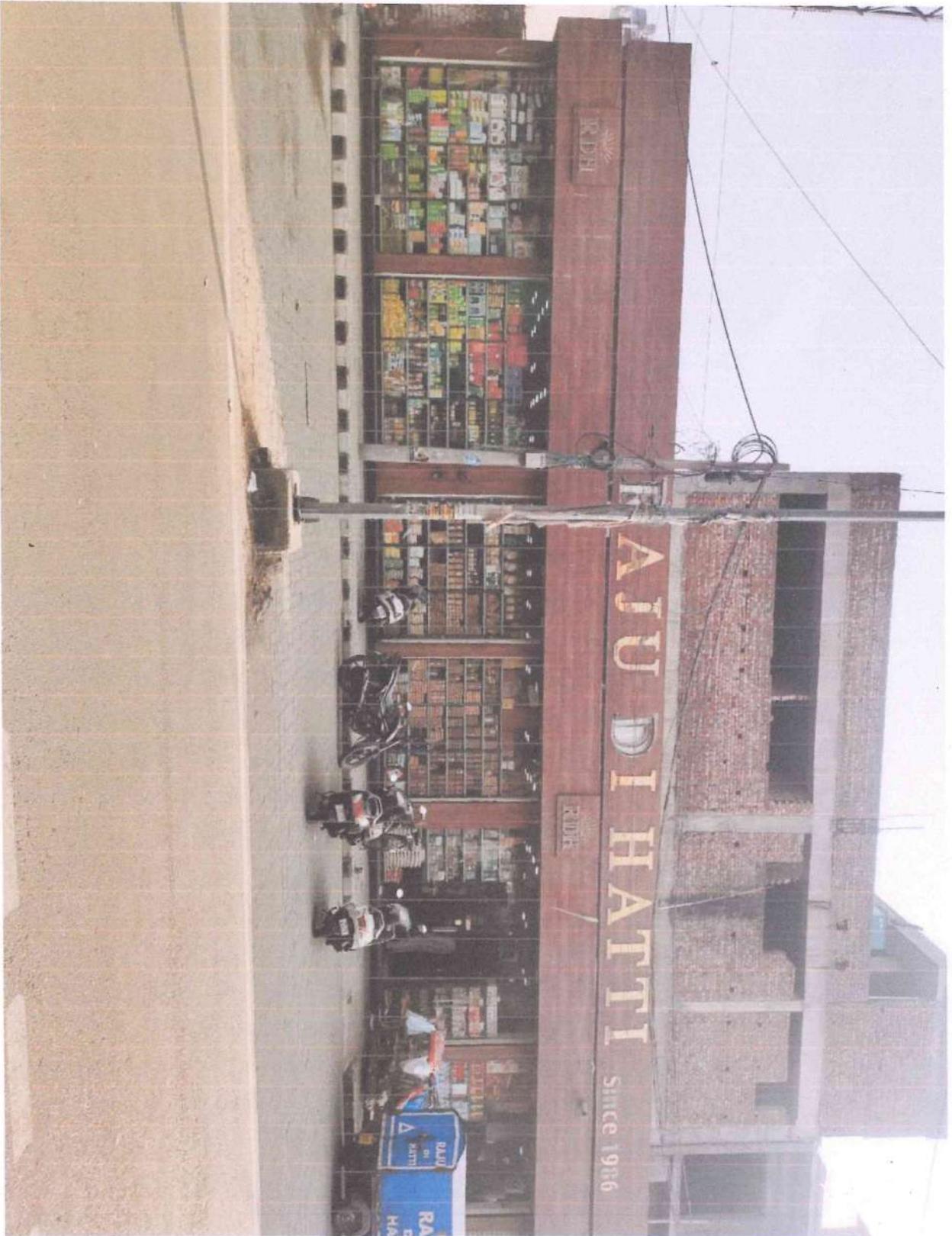
















ANNEXURE-7

2136/40-1-2-77-14,000-Pb. Govt. Press, Patiala.

CERTIFICATE OF REGISTRATION OF SOCIETIES

(Act XXI of 1860)

No. 39 of 1980-81.

I hereby certify that "Shriee Mahanath Hospital Society, ARZAR
Regina, Ludhiana" has this day been registered under
the Societies Registration Act XXI of 1860 and as amended by Punjab
Amendment Act, 1957.

Given under my hand at Chandigarh, this 9th
day of May One Thousand Nine Hundred and
Sixty Eight.

Poo Ra. Sof

ਪ੍ਰਮਾਣਿਤ ਸਰੀ ਨਕਲ

ਸਿਸਟਰਜ਼ ਹੋਸਪਿਟਲ ਸੋਸਾਇਟੀ
ਪੰਜਾਬ

Registrar of Firms and Societies,
Punjab.

ANNEXURE R-7

CERTIFICATE OF REGISTRATION OF SOCIETIES

(Act XXI of 1860)

No. 39 of 1980-981.

I hereby Certify that "Shree Raghunath Hospital Society, Aggar Nagar, Ludhiana has this day been registered under the Societies Registration Act XXI of 1860 and as amended by Punjab Amendment Act, 1957.

Given under my hand at Chandigarh, this 9th day of May, One Thousand Nine Hundred and Eighty.

Fee Rs. 50/-

Sd/- Stamp

Sd/-
Registrar of Firms and Societies,
Punjab

ANNEXURE R-8

AMENDED COPY
 RULES & REGULATIONS
 OF
SHREE RAGHUNATH HOSPITAL SOCIETY
 AGGAR NAGAR, LUDHIANA Phone : 0161-2460162-63
 AS AMENDED UPTO 14-12-2008

1. The society is established for the purpose in the Memorandum of Association.
2. The Executive Committee of the Society comprises of the members as per Annexure 'A' attached.
3. Unless and otherwise reference so require the meaning of the words and phrases given herein shall be construed strictly in consonance with the meanings assigned herein.
 - (a) Subscriber Members : The Members who have subscribed to the Memorandum of Association of the Society are the Subscriber Members.
 - (b) Patron Members :- Are those members who enjoy high respect and popularity and are recognised for their philanthropic activities. They may donate or bestow upon society such sums, real estates, or articles as may be deemed fit by them or may be helpful to the Society in raising funds, articles etc. from general public for the purpose of the society.
 - (c) Executive Members :- Are those members who have been elected from life trustee members that is members of Shree Raghunath Hospital Society. (Regd)
 - (d) Life Trustee Members :- Life Trustee members are those members who subscribe Rs.31000/- (Thirty one Thousands) to Shree Raghunath Hospital Society (Regd).The Executive Committee is authorised to increase the Life Trustee Membership fee time to time.
 Maximum effective strength of the Life Trustee Members will be limited to 450 (Four Hundred Fifty only).
 Life Trustee members of Shree Raghunath Hospital Society (Regd.) will be called as members of the Shree Raghunath Hospital Society. (Regd.)
 There will not be any annual Trustee members.
 - (e) There will not be any general members.

(1)

For Shree Raghunath Hospital Society

For Shree Raghunath Hospital Society

President

Secretary

Cashier

ਮੁਖਿਓ ਸਰੀ ਕਲਕ

ਮੁਖਿਓ ਸਰੀ ਕਲਕ

President

Secretary

Cashier
VICE President

Shree Raghunath Hospital Society

Secretary

The Executive committee may meet for the consideration of the business, adjourn and otherwise regulate their meetings as they may think fit and the quorum for the meeting will be 1/3rd of the members of the executive committee. Three members of the committee may at any time and the office bearers shall act upon the request in writing of three members of the committee to summon a meeting of the Executive Committee. The notice of every meeting of Executive Committee stating general particulars of business to be considered at such meeting shall be sent by U.P.C or by hand in circulation of the register through the employee of the Society at least seven days before such meeting, unless urgent circumstances require a short notice of 24 hours. The notice for general body meeting stating particulars of business to be considered at such meeting shall be sent by U.P.C. at least seven days before meeting. The quorum for general body meeting will be at least 1/5th of the total strength of members.

8. The minutes of every meeting shall be read out and shall be confirmed at every meeting. The committee shall elect, a President, Vice-Presidents, Treasure, Secretary, Joint Secretary and shall delegate such powers and duties as deem fit subject to the provisions contained in these Regulations.
9. The bankers shall be appointed and may be changed by the committee and such instructions may be given to the bankers as to their operation etc. as they deem fit from time to time.
10. A member will be liable to vacate his membership on account of any of the followings :
 - (a) If he is convicted for any offence involving moral turpitude
 - (b) If he is removed by 3/4th majority of the Executive Committee.
11. The proceedings of all the meetings of Executive Committee and General Body meeting House will be recorded in separate proceeding books which will be signed by the President or in his absence by the Vice-Presidents.
12. All the meetings whether of the Executive Committee or General Body meeting House will be presided over the President or in his absence by the Vice-President or in their absence by the Secretary.
13. The Office Bearers of the Executive Committee will be entitled to attend and take part in the proceedings of meetings of every class of members, though they will be entitled to vote not in the capacity of the office bearers, but as member of a particular class of members.

For Shree Raghunath Hospital Society

(3)

<p>For Shree Raghunath Hospital Society</p> <p>President</p> <p>Secretary</p> <p>Cashier</p>	<p>For Shree Raghunath Hospital Society</p> <p>President</p> <p>Secretary</p> <p>Cashier</p> <p>(Vice President)</p> <p>Secretary</p>	<p>For Shree Raghunath Hospital Society</p> <p>President</p> <p>Secretary</p> <p>Cashier</p> <p>(Vice President)</p> <p>Secretary</p>
--	---	---

All members of the Executive Committee will be elected out of the Life Trustee Members. The members so elected will be the members of the Executive committee till the election for next Executive Committee.

- 15. All matters pertaining to the election of the members to the Executive Committee will be referred to the President, Vice-President and Secretary for the time being holding this office, and their decision will be final and binding.
- 16. The vacancy in the Executive Committee or the office of the Society will be filled in by the Executive Committee at a meeting duly convened.
- 17. The members entitled to attend and vote will be personally required to attend the meeting and no proxy will be admitted.
- 18. Any decision of the Executive Committee or the office bearers can be only reverted, modified or annulled by the Executive Committee subsequently by a three-fourth majority at a meeting duly convened and held.
- 19. The object clause of the Memorandum of Association of the Society can be modified, or altered by the Society, if three-fourth members present in meeting of the General House so consent.
- 20. Any additions modifications in the Rules and Regulations of the Society duly passed shall become part and parcel of these Rules and Regulations.
- 21. The President : The President of the Society shall conduct, regulate and preside all the meetings of the society. His rulings as to point of order shall be final and conclusive. He shall also be the appointing authority of the employees of the Society.
- 22. The Vice-President : In the absence of the President, the Vice- President shall preside all the meeting of the Society and exercise all such powers.
- 23. The Secretary : The Secretary shall look after the affairs of the Society under the directions of the Executive Committee. The Secretary shall keep or cause to be kept proper minutes of the proceeding of the meeting of the Society. He will do all such act and things which are necessary for implementing the decisions and resolution of the Executive Committee or general Body. He shall also keep or cause to be kept all records of the Society at a place to be determined by the Executive Committee.

For Shree Raghunath Hospital Society

[Signature]
President

[Signature]
Secretary

[Signature]
Cashier
(V. K. Khandelwal)

(4)

For Shree Raghunath Hospital Society

[Signature]
President

[Signature]
Secretary

Cashier

Shree Raghunath Hospital

[Signature]
Secretary

14. The Joint Secretary : He shall look after the Society.
25. The Treasurer : The Treasurer shall act under the directions of Executive Committee. He will maintain up to date account of all income and expenditure of the Society. He will also prepare a statement of accounts on the close of a year.
26. Investment of Funds of the Society/Trust : The funds of the Trust/Society shall be invested in the modes specified under the provisions of Section 13 (1) (d) read with Section 11 (5) of the Income Tax Act, 1961 as amended from time to time. It is hereby clarified that all the members of the Trust/Society are rendering social and honorary services and have no personal interest.
27. Beneficiaries of the Trust/Society : The benefits of the Trust/Society shall be opened to all mankind irrespective of caste, creed or religion.
28. Utilisation of Income : It is specifically provided that all the members of the Trust/Society including the members in the Managing Committee shall be rendering Honorary Services to the trust /society. No portion of the income of the trust/Society shall be utilized for payment to the members of the society including members of the Managing Committee by way any profit interest, dividend, etc. The funds of the Income of the Trust/Society shall solely be utilized for the achievements of the objects of the Trust/Society.
29. Amendments : No amendment of the memorandum of Association/Bye laws/Rules and regulations shall be made which may prove to be repugnant to the provisions of section 2 (15), 11, 12 and 13 and 80-G of the income tax Act, 1961 as amended from time to time.
30. General : (a) The Society shall work within the ambit of Societies Registration Act, 1860.
- (b) The Funds of the Society shall be spent for such purpose only as have been defined as charitable under the Income tax or any other law Governing for charitable purpose:

For Shree Raghunath Hospital Society

President

Secretary

Cashier
(Vice President)

For Shree Raghunath Hospital Society

President

Secretary

Cashier

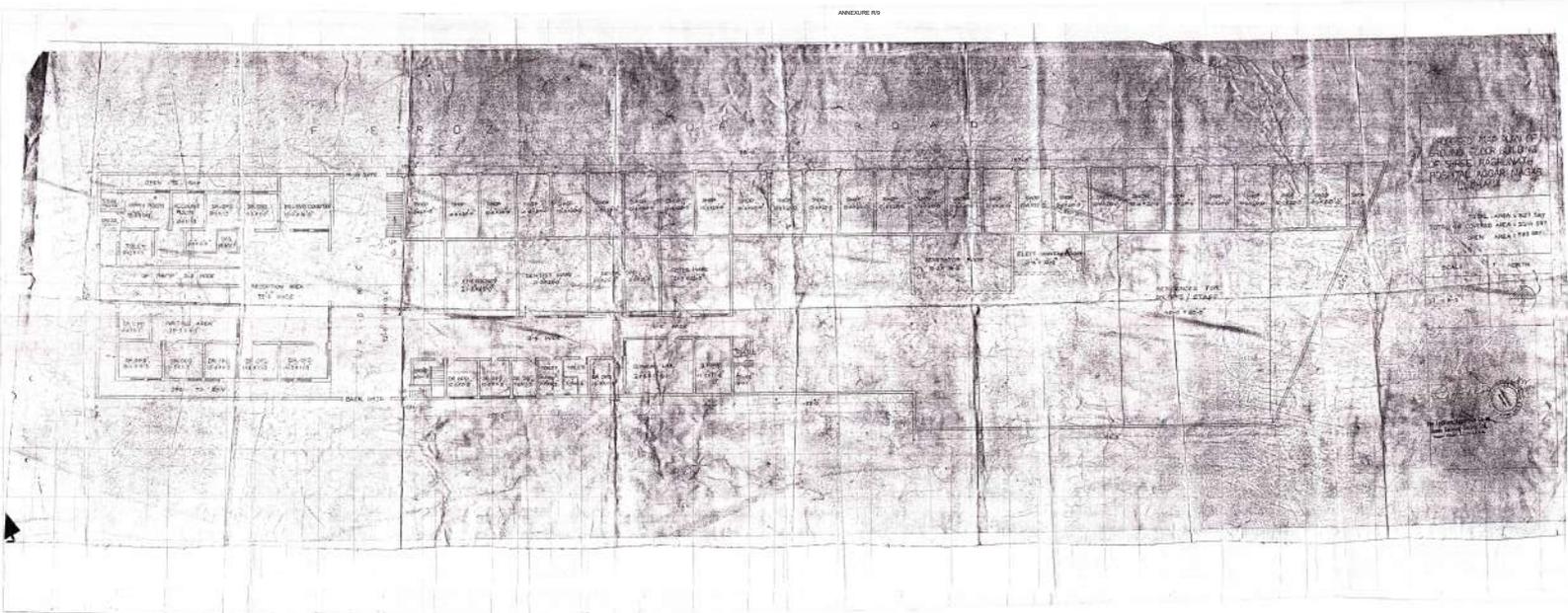
(5)

Shree Raghunath Hospital Society

Secretary

ANNEXURE R/9

ANNEXURE R/9



ANNEXURE R-10

210 COCP-3776-2018 (O&M)

**SURENDER KUMAR GUPTA V/S KRISHAN CHAND
GUPTA AND ANR.**Present: Mr. Viren Jain, Advocate and
Mr. Raj Shekhar, Advocate for the petitioner.

Mr. Vikas Bali, Advocate for respondents No.1 & 2.

Mr. Parveen Gupta, Advocate for respondent No.3.

The petitioner alleges violation of the order dated 30.11.2017 passed by Civil Judge (Jr. Divn.), Ludhiana in Civil Suit No.197 dated 23.08.2017 as well as statement made by the respondents on 30.11.2017.

Learned counsel for the petitioner submits that Ram Kumar Gupta and Sunil Goyal filed a civil suit for declaration that they are life members/trustees of Shree Raghunath Hospital Society, Ludhiana, which is running a charitable hospital. During pendency of the said suit, the respondents being the duly authorized persons made the following statement: -

“Statement of Sh. Vijay Jindal S/o Tirath Dass Jindal, R/o 47 B, Rajgur Nagar, Ludhiana. On SA

I have been duly authorized by the defendant No.1 society to make the statement in the present case and the resolution has been passed in the meeting of the executive committee of the society in my favour. The copy of the resolution is mark A and I placed the same on record of the case. There is a procedure for inducting members of the society and as per the settled procedure any person desirous of becoming a member is to deposit fee of Rs.1 lakh with

COCP-3776-2018 (O&M)

-2-

the society and thereafter his name is considered in this selection committee and if found suitable then the name of such person is finally approved in the general body meeting of the executive committee and the person becomes a member. The hospital undertakes not to nominate any person without following above procedure and if any office bearers has taken some action against this procedure, the same will be nullified by the society and no person will be enrolled as a member who has not come through the above said procedure. Even a resolution in this regard has been passed by the society and I am placing on record the copy of the resolution passed in the meeting of the executive committee on 29.03.2009 as mark B. The action taken by the secretary in the meeting held on 16.07.2017 has been rejected outragedly and resolution in this regard has been passed on 11.09.2017 and the copy of the resolution is mark C. The defendant No.1 undertakes to remain bound by this procedure.”

In view of the said statement, suit was dismissed as withdrawn.

Primary grievance of the petitioner is that there is mismanagement in the society and in a whimsical manner, new members are made by taking Rs.11,000/- instead of Rs.1.00 lac just to procure the votes and the respondents are not adhering to the undertaking given before the Civil Court.

COCP-3776-2018 (O&M)

-3-

Learned counsel for the petitioner submits that though period of the present Managing Committee has lapsed five years ago, no elections are being conducted.

In the reply filed by respondents No.1 & 2, it is stated that there are number of litigations pending between the parties and by both sides, separate civil suits have been filed, which are pending before the Court. Reliance is placed on certain documents like plaints of the civil suits as well as some resolutions in this regard.

During the course of arguments, an offer was made to both the parties to settle the dispute before the Mediation and Conciliation Centre, but the parties especially the respondents are adamant in not resorting to the mediation proceedings.

After hearing learned counsel for the parties, it is apparent that with regard to charitable institute, both the sides are fighting tooth and nail to serve their own personal purpose for keeping the management with them.

List again on 22.01.2024.

In the meantime, Deputy Commissioner, Ludhiana is appointed as an Administrator, who will constitute a team of three persons including Chief Medical Officer/Civil Surgeon or any other officer of equivalent rank, a senior officer from the office of Registrar of Societies, who has to conduct the elections and third Administrator to which the Deputy Commissioner deem it

COCP-3776-2018 (O&M)

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appropriate. The team will assist the Deputy Commissioner in day to day working of hospital.

The management of the society will be taken over by the team of the Administrator, under the supervision of Deputy Commissioner, Ludhiana.

The Administrator will make sure that elections of the society must take place within a period of six months from today and till that time, Administrator/Committee will manage the administration of Shree Raghunath Hospital Society, Ludhiana.

13.07.2023
vishnu

[ARVIND SINGH SANGWAN]
JUDGE



ANNEXURE R-11

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105

2023:PHHC:131435-DB

CACP-11-2023Date of Decision: 10.10.2023

Krishan Chand Gupta

.....Appellant(s)

Versus

Surender Kumar Gupta and others

....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA
HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN**

Present: Mr. Vikas Bali, Advocate,
for the appellant.

Mr. Aayush Gupta, Advocate,
for respondent No.1.

Mr. V.G. Jauhar, Addl. A.G., Punjab.

Ms. Jasleen Kaur Bhullar, Sub Divisional Magistrate,
Payal, Ludhiana

Mr. D.V. Sharma, Sr. Advocate,
with Mr. Manbir Singh, Advocate,
for respondent No.2.

G.S.SANDHAWALIA, J. (Oral)

1. The present appeal is directed against the order of the Single Judge dated 13.07.2023 passed in COCP-3776-2018 whereby, while dealing with the violation of the order dated 30.11.2017 passed by Civil Judge (Jr. Divn.), Ludhiana in Civil Suit No.197 dated 23.08.2017 titled Ram Kumar Gupta vs. Shree Raghunath Hospital Society, Ludhiana, the Single Judge came to the conclusion that the members of the charitable institution were fighting tooth and nail to serve their own personal purpose to keep the management with them. Resultantly, Deputy Commissioner was appointed as an Administrator, who was further to constitute a team of three persons to conduct the elections and the team was to assist the Deputy Commissioner in

CACP-11-2023

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2023:PHHC:131435-DB

day-to-day working of the hospital. The management of the Society was, thus, taken over by the team of the Administrator under her supervision. Further directions were given that the election of the society had to take place within six months from the said date and till that date, the Administrator/Committee would manage the administration of the defendant-Hospital. The relevant part of the order reads thus:-

“In the meantime, Deputy Commissioner, Ludhiana is appointed as an Administrator, who will constitute a team of three persons including Chief Medical Officer/Civil Surgeon or any other officer of equivalent rank, a senior officer from the office of Registrar of Societies, who has to conduct the elections and third Administrator to which the Deputy Commissioner deem it appropriate. The team will assist the Deputy Commissioner in day to day working of hospital.

The management of the society will be taken over by the team of the Administrator, under the supervision of Deputy Commissioner, Ludhiana.

The Administrator will make sure that elections of the society must take place within a period of six months from today and till that time, Administrator/Committee will manage the administration of Shree Raghunath Hospital Society, Ludhiana.”

2. It is a matter of fact that there are other civil litigations also *inter se* pending at Ludhiana regarding the membership and as per the appellant, there are as many as 11 such litigations. On 04.08.2023, we noticed that the last election was held on 04.09.2017 and, therefore, a period of 5 years had also expired and the dispute as such was regarding the induction of fresh members with subscription amount of membership which was Rs.11,000/-, raised to Rs.31,000/- and then to Rs.1,00,000/-. It was also noticed that the



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2023:PHHC:131435-DB

order of the learned Single Judge had been implemented and the Committee had taken over the records of the Society and the State was directed to file an affidavit as to on what basis the election is proposed to be conducted and who are the members who are eligible so that appropriate directions can be issued, if so required.

3. In pursuance of the said directions, affidavit dated 22.09.2023 of Ms. Surabhi Malik, District Magistrate-cum-Deputy Commissioner, Ludhiana has been filed. Ms. Jasleen Kaur Bhullar, SDM, Payal, Ludhiana is also present in Court to assist the State counsel. The various conclusions were arrived at after perusal of the objections and response of the Committee regarding the validity of Members of the Society admitted at various points of time and justification as such has been given regarding the validity of some members and invalidity of some. The appellant has also filed a counter affidavit objecting to the reasoning which has been arrived at.

4. Mr. D.V. Sharma, Sr. Advocate alongwith Mr. Manbir Singh, Advocate has put in appearance on behalf of Hemraj Goel-respondent No.2, who is stated to have filed an application under Order 1 Rule 10 and had been represented as respondent No.3. Mr. Sharma's suggestion is that the matter should be examined by an independent person, well versed in law to verify the eligibility of the members so that the dispute can be resolved before the elections take place, as directed by the Single Judge on the basis of the list of the validly constituted members of the Society.

5. Counsel for respondent No.1, the person who had approached the Contempt Court, also has no objection to the proposed line of action and so is the statement of counsel for the appellant.

6. Resultantly, we are of the considered opinion that Mr. B.S.

CACP-11-2023

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2023:PHHC:131435-DB

Sandhu, District and Sessions Judge (Retd.), presently Chairperson of the Permanent Lok Adalat stationed at Ludhiana would be an appropriate person to go into the validity of the membership of Shree Raghunath Hospital Society.

7. Accordingly, we issue directions that the record of the case will be handed over to Mr. B.S. Sandhu by the authorities, who will examine the records and come to conclusion as to which of the members were validly appointed keeping in view the resolutions passed by the Society and thereafter prepare an electoral roll of the said Society. The necessary exercise be conducted within a period of 2 months. After the needful is done, the elections will thereafter be conducted under his supervision with the help of Deputy Commissioner, Ludhiana, who will grant all assistance to the said Officer. It is open to all persons aggrieved to file appropriate applications before the said Officer for redressal of their grievances. Ms. Bhullar will ensure that a sum of Rs.75,000/- from the funds of the Hospital is paid to Mr. B.S. Sandhu for conducting the necessary exercise within a month from today.

8. The present appeal stands disposed of in the above terms. Since the institute in issue is a charitable hospital, it would also be appropriate to modify the order of the Single Judge to that extent and that the day-to-day management and running should be conducted under the supervision of Civil Surgeon, Ludhiana till the elections take place.

(G.S. SANDHAWALIA)
JUDGE

10.10.2023
shivani
Whether reasoned/speaking
Whether reportable

(HARPREET KAUR JEEWAN)
JUDGE
Yes
No

ANNEXURE R-12

REPORT

Vide order dated 10.10.2023 passed by the Hon'ble High Court of Punjab & Haryana at Chandigarh in petition no. 2023-PHHC:131435-DCACP-11-2023, the undersigned has been directed to examine the records of Sh. Raghunath Hospital Society (Hereinafter to be referred as Society) and decide as to which of the members of the society were validly appointed keeping in view the resolutions passed by it and then to prepare an electoral roll of the said society where after the elections of the society shall be conducted under my supervision with the help of Deputy Commissioner, Ludhiana who will grant all assistance to the undersigned. It was open to all persons aggrieved to file appropriate applications before the undersigned for redressal of their grievances.

2. Consequent to the said order of the Hon'ble High Court Sh. Rakesh Kumar, G.M. Industries appeared before the undersigned on behalf of the authorities and handed over the record to the reader of undersigned. The original record, which was lying in the locker of the society, was also handed over to the reader in my presence.

3. The only joint objection petition received by the undersigned was from the side of Sh. V.P. Kalia, Sh. Hem Raj Goyal, Sh. Sunil Goyal, Sh. Kulbhushan Singla and Sh. Rajesh Aggarwal. Rest of the objections/grievances were already on record from the side of different persons going to be referred in the subsequent part of this report.

-2-

4. Before embarking upon the resolutions of the Society, objections and cross objections, filed by different persons, I would like to refer rules and regulations of the society governing the induction of life trustee members of the Society and the formation of the executive committee right from it's inception.

Rule 3 (c) says as under:-

“Executive members:- Are those members who have been elected from different categories of the members as member of the Executive Committee”.

Rule 3(d) says as under:-

“Trustee Members:- Trustee members are those members who subscribe to the society as under:-

- i). Life Trustee Membership fee : 2,500.00
- ii). Annual Trustee Membership fee : 501.00”

Rule 3(e) says as under:-

“General Members:- Are those members who subscribe for the society annually Rs. 101.00”.

Rule 4 says as under:-

“Executive Committee, shall comprise of not less than seven members and not more than twenty one members”.



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Rule 5 says as under:-

“Executive Committee will hold office from conclusion of one annual general meeting to the conclusion of next annual general meeting”.

Rule 7 says as under:-

“The Executive Committee may meet for the consideration of the business, adjourn and otherwise regulate their meetings as they may think fit and the quorum for the meeting will be atleast five members or 1/3rd of the members of the executive committee whichever is less”.

Rule 15 says as under:-

“The three/fourth of the members of the Executive Committee will be elected out of the Trustee members and one/fourth of the Executive Members of the Executive Committee will be elected out of General Members. The members so elected will be the Executive Members till the conclusion of the next Annual General Meeting”.

5. Before the year 2008, the membership fees of Life Trustee members was admittedly raised to Rs.11,000/- and then vide resolution dated 09.11.2008, the Executive Committee decided to raise the Life Trustee Membership fees from Rs.11,000/- to Rs.31,000/- subject to approval by the General Body Meeting of all

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the members of the Society fixed for 30.11.2008. General Body meeting of the Society was held on 30.11.2008 and the decision of the Executive committee vide resolution dated 09.11.2008, raising the membership fees from 11,000/- to Rs.31,000/-, was approved along with other amendments in original Rule 3(d), 4 and 5.(ibid)

Amended Rule 3(c) says as under:-

“Executive Members:- Are those members who have been elected from the trustee members that is members of Shree Raghunath Hospital Society (Regd.)”.

Amended Rule 3(d) to 5 are reproduced as under:-

“Executive Members:- Are those members who have been elected from the trustee members that is members of Shree Raghunath Hospital Society (Regd.)”

“Life Trustee members:- Life Trustee members are those members who subscribe Rs.31,000/- (Thirty One thousand) to Shree Raghunath Hospital Society (Regd.). The Executive Committee is authorised to increase the Life Trustee Membership fee from time to time. Maximum effective strength of the Life Trustee Members will be limited to 450 (Four Hundred Fifty only).

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Life Trustee members of Shree Raghunath Hospital Society (Regd.) will be called as members of the Shree Raghunath Hospital Society (Regd.).

There will not be any annual Trustee members”.

(e). There will not be any general members.

4. Executive Committee shall comprise of not less than seven members and not more than twenty one members.

5. Executive Committee will hold office for five years.”

6. As per record of the society there is no dispute regarding the induction of Life Trustee Members prior to 09.11.2008. Dispute is pertaining to the following categories of members:-

1. (Category no.1) 41 Members from Sr. No. 428 to 468 who were inducted from 12.11.2008 to 29.11.2008 on acceptance of then prevalent membership fees of Rs.11,000/-.

2. (Category no.2) 121 Members inducted from 01.08.2017 to 12.08.2017 on payment of fees of Rs.11,000/- on the basis of resolution dated 16.07.2017 shown to have been passed by the Executive Committee when otherwise the prevalent membership fees at that time was Rs.1,00,000/- (One Lac)

3. (Category no.3) 49 Members from Sr. No. 529-A to Sr. No. 577-A enrolled from 13.07.2020 to 05.07.2023 after charging fee of

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Rs.1,00,000/- each after expiry of five years term of the Executive Committee.

7. First of all, I will decide about the validity of 41 members of **Category no. 1**, who were inducted on charging of fees of Rs.11,000/- from 12.11.2008 to 29.11.2008 when otherwise the Executive Committee has already decided, by passing resolution dated 09.11.2008, that the Membership Fees would be enhanced from Rs.11,000/- to Rs.31,000/- subject to approval by the General House Meeting going to be held on 30.11.2008. Their validity has been objected from the side of Sh. Rajnish Kumar Jain, Sh. V.P. Kalia, Sh. Hem Raj Goyal, Sh. Rajesh Aggarwal, Sh. Sunil Goyal, Sh. Kulbhushan Singla and Sh. Prem Kumar Gupta on the following grounds:-

i) That once the Executive Committee has already decided, vide resolution dated 09.11.2008, that the membership fees would be enhanced from Rs.11,000/- to Rs.31,000/-, induction of such 41 members from 12.11.2008 to 29.11.2008 by charging fees of Rs.11,000/- was against the amended rule 3(d).

ii). That those members were inducted with lesser fees by the then President and other Executive Members with malafide intention to have hold over the Society as those members were near and dear ones of the President, such as Friends, relatives and family members, by way of violating the amended rules.

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iii). That fake General Body meeting was shown to have been held on 30.11.2008 as intimation for such meeting was shown to have been given to the members by post under postal certificates and not by registered post and those postal certificates could be manipulated. Some of the postal certificates were of 28/29.11.2008 and therefore the material could not reach members no. 430 to 468 at 09:00 am on 30.11.2008 before opening of the post office. Sh. Prem Gupta Secretary of the year 2008 has written a letter, received in the office of the Society on 12.08.2017, that no General Meeting was held on 30.11.2008 and it was fake and thus the amended rule capping the strength to only 450 also has no value in the eyes of law when General Body Meeting was manipulated.

8. I have considered these objections of the aforesaid objectors regarding validity of the induction of those 41 members from 12.11.2008 to 30.11.2008 but I do not find any substance in any of those objections. Although the Executive Committee passed a resolution on 09.11.2008 that the membership fees would be raised from Rs.11,000/- to Rs.31,000/- but the said decision of the Executive Committee was subject to its approval by the General Body Meeting of the Society which was ultimately held on 30.11.2008 in which such proposal/decision of the executive committee was approved and the rules were amended and ultimately notified only on 14.12.2008 as mentioned in the amended copy of such Rules and regulations of

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2008. So once the decision of the Executive Committee, made on 09.11.2008 increasing the fees of 11,000/- to 31,000/- , was subject to the approval by General Body Meeting of 30.11.2008, the said decision of executive committee could not have come into the way of induction of new members on charging fees of Rs.11,000/- till it's approval by the General House on 30.11.2008. Therefore the first objection of the aforesaid objectors does not in any manner affect the validity of those 41 members.

9. The next objection would be that the then President inducted his near and dears including his friends and relatives with malafide intention to increase his say in the society so as to win the subsequent elections of the Executive Committee. However none of the objectors has specified the relations and the background of the friendship of those members with the president. Once the relationship and the background of the friendship of none of those members has been specified, the said objection is based on surmises and conjectures and therefore, cannot be given any weight-age as such.

10. The third objection of the aforesaid objectors would be that fake general body meeting was shown to have been held on 30.11.2008 regarding the amendments in the aforesaid rules because no proper intimation was given to the members and such intimation could not reach to the members which was shown to have been given under postal certificates without registered letters and further that Sh.

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Prem Kumar Gupta, the then Secretary, vide letter issued on 12.08.2017, has intimated the Society that the said meeting was fake and signatures of the members were received in their houses. So far as the authenticity and genuineness of postal certificates about intimation to members of general body meeting is concerned, no doubt as per original Rule 7 such notice was to be given either through registered post or by circulation of the register through some employee at least 7 days before such meeting unless urgent circumstances required a short notice but even if notice to the members under postal certificates is ignored, such notice could have been served upon the members by circulation of copy of the register and under urgent circumstances such notice could be issued even otherwise. None of the then members, except Sh. Prem Kumar Gupta, has ever raised any objection regarding non-convening of such meeting on 30.11.2008 till the objections are raised before the administrative Committee and also till filing of the civil suits by some of the objectors after expiry of a period of about 9 years from the date of that meeting. None of the attending members has denied their signatures in the proceedings book of the society recorded on 30.11.2008 in which such resolution dated 09.11.2008 of the Executive Committee was approved and other amendments were made in the rules. Such objection is hit by principle of Laches and even hit by limitation to seek declaration from the civil court about its validity and genuineness. Although Sh. P.K. Gupta has written a

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letter dated 12.08.2017 to the Society that the said meeting was fake but he is estopped from challenging the genuineness of that meeting as he himself was the signatory to those proceedings as Secretary of the Society. Such letter seems to have been manipulated and procured by the objectors from Sh. Prem Kumar Gupta because it has come on record that on the allegations of manipulating meeting dated 16.07.2017 he was removed from his office by the Executive Committee passing resolution dated 13.08.2017 on the basis of agenda letter dated 10.08.2017 i.e. two days before issuance of such letter. Being Secretary of the Society, he must have acquired knowledge of agenda letter dated 10.08.2017 regarding allegations against him of having manipulated meeting dated 16.07.2017 and therefore no credence can be attached to his such allegations in letter dated 12.08.2017 as he was having good motive to avenge against such agenda of Executive Committee and also to escape his expulsion on the basis of agenda letter dated 10.08.2017 going to be put up in the Executive Committee meeting dated 13.08.2017 when actually he was removed from that post.

11. Objector Sh. Hem Raj Goyal has also placed on record a copy of application dated 12.11.2008 shown to have been given to the President of the Society by him along with Sh. Sunil Goyal to become members of the Society on payment of sum of Rs. 11,000/- each as membership fees having a reference of issuance of two cheques of

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those amounts in the name of the Society. Such application is shown to have been received by the Society under the endorsement of Sh. Prem Kuamr Gupta on the same day referring that the matter regarding enhancement of fee from Rs. 11,000/- to 31,000/- was under consideration subject to approval by the full house meeting going to be held on 30.11.2008. Thus according to the objectors there was discrimination on the part of the Society to refuse membership to them before 30.11.2008 in the manner as the members of the **Category no. 1** (ibid) were absorbed. I have considered such objection and copy of that application with endorsement dated 12.11.2008 but the said document is most doubtful because it is not reflected in the record of the Society. It is simply shown to have been received by Sh. Prem Kuma Gupta the then Secretary, who was part of the Executive Committee when members of the **Category no. 1** were inducted on charging of fee of Rs. 11,000/- from 10.11.2008 to 29.11.2008 and he never brought such fact into the notice of Executive Committee or full House meeting of filing of that application along with cheque by Sh. Hem Raj Goyal and by Sh. Sunil Goyal. Moreover, these two applicants never asserted such discrimination for a period of about 9 years and such application has seen the light of the day only when dispute regarding induction of members of **Category no. 2** arose after passing of disputed resolution dated 16.07.2017. There are allegations against Sh. Prem Kumar Gupta that he manipulated that resolution due to which he was

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removed from the post of Secretary vide resolution dated 13.08.2017. It seems that these two applicants/objectors have managed such endorsement of receipt of that application from Sh. P.K.Gupta by availing his services who was acting in their favour and was obviously inimical to the Executive Committee because of his removal from the post of Secretary. Copy of such application and endorsement is also hit by the principle of laches. Therefore it can not be said that there was any discrimination on the part of the Executive Committee to induct these two objectors/applicants as members on charging fee of Rs. 11,000/- before 30.11.2008 in the manner as the members of **Category no. 1** were absorbed.

12. It is, therefore, concluded that those 41 members shown at Sr. No. 428 to 468 were validly inducted as they had been attending meetings of General House of the Society and their genuineness and validity was never challenged till the year 2017 when such litigation was initiated from the side of objectors because their memberships were annulled on the ground that resolution dt 16/7/2017, allowing them to become members by decreasing fee from Rs.1,00,000/- to Rs.11,000/-, was manipulated by Sh. Prem Gupta Secretary by receiving signatures of five members from their homes without attending the meeting.

13. Now advertent to the validity and legality of the 121 members of above referred **Category no.2**, they are shown to have been inducted on the basis of resolution dated 16.07.2017, 01.07.2018

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and a compromise dated 08.11.2020 filed in a Civil Suit no. 6371/2020 according to which their membership was accepted by the Executive Committee by way of slashing the then prevalent membership fees of Rs. One Lakh to Rs.11,000/- on the ground that they were the providers of the land to the Society being residents of Agar Nagar Co-Operative House Building Society Limited. Before considering the validity of such resolutions and compromise, I would like to refer the competency of the executive Committee to reduce then prevalent membership fees of Rs. One Lakh to Rs.11,000/-. It is admitted case of the parties that membership fees of the Society was increased to Rs. One Lakh in the year 2009. So in order to check such competency of the Executive Committee to slash membership fee, I would like to refer the rules and regulations of the Society. As per original Rule 3(d), the membership fees of Life Trustee Members was Rs.2500/- which was later on increased to Rs.11,000/- and then through amended Rules and Regulations, the same was increased to Rs.31,000/- and while amending Rule 3(d) in the year 2008 it was added that the Executive Committee was authorised to increase the Life Trustee Membership Fees from time to time which has been validly done by the Executive Committee by increasing the membership fees from Rs.31,000/- to Rs. One Lakh in the year of 2009. There is nothing in the said Rules and Regulations of the Society that the Executive Committee is empowered to slash the membership fees except that it can only increase it from time to time.

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Once no power was delegated to the Executive Committee to decrease the membership fees in any of the Rules and Regulations of the Society, the acceptance of membership of those 121 members of **Category no. 2** on the basis of resolutions dated 16.07.2017, dated 01.07.2018 and compromise dated 08/11/2020 is un-acceptable being against the Rules and Regulations of the Society which are sacrosanct for the working of the society and cannot be compromised unless amended by the Full House of the Society which admittedly has not met for the last many years for the reasons best known to the Executive Committee.

14. Even otherwise there always remained a controversy amongst the members of the Executive Committee about the validity of resolution dated 16.07.2017 which was subsequently referred in the Executive Committee meeting dated 13.08.2017 according to which allegations of manipulation of that resolution by Sh. Prem Kumar Gupta secretary were raised and on the basis of such allegations he was removed from the post of Secretary that he, unfairly and against the rules, managed the acceptance of membership of those 121 members by wrongly decreasing membership fees from Rs. One Lakh to Rs.11,000/-. Although there is also a resolution dated 01/07/2018 of the Executive Committee accepting such memberships by reducing the fee but that resolution also has no value in the eyes of law when once no power has been given to the Executive Committee in the



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Rules and Regulation to slash membership fees from Rs. One Lakh to Rs.11,000/-. So far as compromise dated 18.11.2020, submitted in one of the Civil Suits accepting membership of these 121 members on the basis of membership fees of Rs. 11,000/- each, firstly when once the executive committee was not authorised to decrease membership fees, it could not have entered into such compromise against the rules and regulations of the society. Secondly as per amended Rule 5 of the Society, the term of the Executive Committee has been fixed for a period of five years. Admittedly the last Executive Committee was formed in October, 2014 and as per that rule it's term ended in October, 2019. Once the term of executive committee ended in October, 2019, it lost power and right to make any decision on such aspect and thus such compromise arrived by the defunct Executive Committee is not binding upon the society. I have also been confronted with latest resolution dated 05.02.2022 passed by the Executive Committee accepting validity of membership of the 121 members of **Category no. 2** and giving them right to vote but once term of last Executive Committee ended in October 2019 and there is no provision in the rules and regulations of the Society as to what would be the status of executive committee till next elections of the Society, the Executive Committee cannot grab any power which is not provided in the rules and regulations of the society and thus, when the matter went before the Hon'ble High Court, in the above referred contempt petition, an Administrative Committee headed by the

-16-

Deputy Commissioner, Ludhiana was formed. Therefore, no validity can be attached to even such latest resolution dated 05/02/2022 passed by the defunct Executive Committee. Therefore, it is concluded that these 121 members have no right to vote and their names are required to be struck off from the list of life trustee members of the Society.

15. Now, advertent to the validity of the membership of 49 members from Sr. No. 529-A to 577-A, admittedly members from serial no. 530-A to 577-A were enrolled from 13.07.2020 to 05.07.2023 on charging then prevalent membership fees of Rs. One Lakh each. Although there is no deficiency in the subscription fees of these members but the moot point to judge their validity would be the empowerment of the Executive Committee to do it. It has already been concluded in the aforesaid discussion that once the term of last Executive Committee ended in October 2019 and thereafter it became defunct it could not accept membership of the members of **Category no. 3** after end of its term. Although the issue of monetary loss to the Society, which is a Charitable Hospital, to refund such huge amount of membership fees is there but such issue cannot be considered favourable to these members and the illegality committed by the Executive Committee cannot be endorsed even if such monetary loss to the Society is there. Although such Executive Committee had been taking many other decisions, in addition to accepting membership after end of its term in October 2019 but those decisions are not



-17-

under judicial scrutiny before me and thus the validity or invalidity of those decisions cannot come into the way of my conclusion that membership of these persons, made by defunct executive committee, is wrong and invalid. Hence, it is concluded as such.

16. As regards the membership of Sh. Sandeep Goyal bearing membership no. 529-A, the same was made on 03.12.2018 on acceptance of the prevalent membership fees of Rs. One Lakh and at that time the Executive Committee was in it's term and therefore his membership has to be held to be valid.

17. As per grievance of one objector Ashok Kumar son of Sh. R.K.Gupta he was inducted as a life trustee member in the year 1986 having membership number 152 and at the time of holding election in the year 2014 he was considered as life trustee member and his name was there in the list of the members of the society. Earlier he was living in Harcharan Nagar but then he shifted to Sector 32-A Chandigarh Road Ludhiana and because of change of address his name is not figuring in the list of the life trustee members. In support of his such plea/objection, he has attached copy of membership card as life trustee member issued to him under the seal of the society and under the signature of Sh. Prem Gupta on 30.09.2014 at his old address. List of life trustee members prepared in the year 2014 is also attached where also his name is there as life trustee member of the society. Nobody has objected to his such plea

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and once he remained member of the society till 2014 and was never removed from his life trustee membership at any point of time absence of his name in the subsequent list of members can not be made ground to deny him right of life trustee membership of the society. Therefore, he is ordered to be included in the list of the life trustee members of the society.

18. List/Electoral roll of valid members, prepared on the basis my findings recorded above and as per record of the society, is attached here with. This report along with electoral roll is going to be displayed on the notice board of the office of society for information to the members and then election dates will be notified.

19. While parting I would like to observe that fee of Rs.75,000/-, as assessed by the Hon'ble High Court for the undersigned, has already been paid by the society but as the society is a charitable trust and running a charitable hospital, I am hereby going to donate the said fee of Rs.75,000/- to the society/charitable trust, to help the poor patients. Hence, my report.

Dated: 22.11.2023

Place: Ludhiana



(Sh. B.S. Sandhu)
District Judge (Retd)
Now Chairman,
Permanent Lok Adalat(PUS)
Ludhiana

ANNEXURE R-13

IN THE HON'BLE HIGH COURT FOR THE STATES OF
PUNJAB AND PUNJAB AT CHANDIGARH

CWP No. 24438 OF 2021

Abhay Goyal and another

... Petitioners

Versus

The Commissioner, Municipal Corporation, Ludhiana
and others

... Respondents

I N D E X

Sr. No.	Particulars	Dates	Pages	Court Fee
1.	List of Dates and Events	18.11.2021	1-3	
2.	Memo of Parties	18.11.2021	4-5	100/-
3.	Civil Writ Petition	18.11.2021	6-21	
4.	Affidavit	18.11.2021	22-23	
5.	Annexure P-1 (Plan)	1981	24	1
6.	Annexure P-2 (Legal Notice)	20.09.2021	25-31	4.
7.	Annexure P-3 (Reply)	28.09.2021	32-41	6.
8.	Annexure P-4 (Judgment and Decree)	03.04.1992	42-64	75.
9.	Annexure P-5 (Plan)	10.08.2001	65	1
10.	Annexure P-6 (Photographs)		66-66-A	1
11.	Power of Attorney	18.11.2021	67	3
12.	Copy of Aadhaar Cards of petitioners	---	68-69	
Total Court Fee Rs.				131/-

Note:

1. Main Law Points involved in this petition are contained in para No.22 at page No.17 & 18.
2. Relevant Rules/Statures: Constitution of India.
3. Similar Case: No.
4. Whether caveat has been received in this case : No.
5. Whether the Constitutional Validity of any Act, Rule or vires has been challenged or not: No.
6. Advance copy supplied to the State through email.
7. Present writ petition is not a public interest litigation.
8. Whether any sitting/former MP/MLAs is involved in the case or not : No.

CHANDIGARH
DATED: 18.11.2021


(AAYUSH GUPTA) (MADAN GUPTA)
P-3145/2010 P-460/1986
ADVOCATES
COUNSEL FOR THE PETITIONERS

LIST OF DATES AND EVENTS

- That the petitioners are the residents of a developed colony namely Aggar Nagar having two separate Blocks popularly known as Block-A and Block-B. The said colony is situated upon the main Ferozepur road and is one of the posh area of Ludhiana City.
- 1981 At the time of carving of the colony, the plan was framed whereby the specific land for the green belt was provided. (P-1).
- 20.09.2021 Recently the private respondents started commercial construction upon the land which was specifically kept for green belt and accordingly the petitioner No.1 through his counsel got issued the legal notice to respondent No.1 to 3 saying that the construction upon the green belt should not be allowed. (P-2).

28.09.2021 The respondent No.3 sent the reply to the legal notice (P-2) by admitting the factum that the land/plot in dispute was initially kept for the purpose of green belt, further submitted that the said plot was allotted by the Society to some private person and thereafter when the issue regarding the fact that wrongfully the allotment of the green belt has been done, the said allotment was cancelled. Further submitted that, thereafter the said allottee filed the civil suit for injunction and the said suit was decreed, therefore the allotment was upheld. (P-3).

03.04.1992 For the kind perusal the said judgment and decree on the basis of which the reply (P-3) was filed is being placed on record as Annexure P-4.

_____ The official respondents are allowing the commercial construction upon the plot which has been kept for green belt by misinterpreting the judgment (P-4),

as the judgment (P-4) nowhere goes into the issue that the green belt can be used for commercial purpose. Therefore, by virtue of judgment (P-4) also the commercial construction upon the green belt cannot be allowed.

18.11.2021 Hence, the present writ petition.

CHANDIGARH
DATED: 18.11.2021

 
(AAYUSH GUPTA) (MADAN GUPTA)
ADVOCATES
COUNSEL FOR THE PETITIONERS

**IN THE HON'BLE HIGH COURT FOR THE STATES
OF PUNJAB AND PUNJAB AT CHANDIGARH**

C.W.P. No. 24438 OF 2021

MEMO OF PARTIES

1. Abhay Goyal, aged about 66 years, son of Late Sh.Kanwar Sain, having Aadhaar Card No.3628 2144 3518, Mobile No.93579-05383.
2. Parvita Goyal, aged about 64 years, wife of Sh.Abhay Goyal, having Aadhaar Card No.9530 5858 5247, Mobile No. 93579-05383.

Both are the residents of House No.662, Aggar Nagar, Block-B, Ferozepur Road, Ludhiana, District Ludhiana.

..... Petitioners

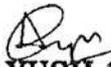
Versus

1. The Commissioner, Municipal Corporation, Zone-D, Sarabha Nagar, Ludhiana, District Ludhiana.
2. Deputy Commissioner, Ludhiana, District Ludhiana.
3. Ludhiana Aggarwala Cooperative House Building Society Ltd., Aggar Nagar, Ludhiana, District Ludhiana, through its President/Manager.

4. Sumit Arora son of Ramesh Kumar Arora,
resident of HJ-171, Backside Western Mall,
B.R.S. Nagar, Ludhiana, Distt. Ludhiana.
5. Ankit Arora son of Ramesh Kumar Arora,
resident of HJ-171, Backside Western Mall,
B.R.S. Nagar, Ludhiana, Distt. Ludhiana.

..... Respondents

CHANDIGARH
DATED: 18.11.2021


(AAYUSH GUPTA) (MADAN GUPTA)
ADVOCATES
COUNSEL FOR THE PETITIONERS

Civil Writ Petition under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the official respondents to restrain the private respondents to do construction for commercial use upon the plot which has been kept for the purpose of green belt as the same is totally arbitrary and unjustified.

AND

Further directions be issued to the official respondents to get the status report of the construction being done upon the green belt area.

AND

Further directions be issued to the official respondents to take action against the private respondents in accordance with law and also to

decide the legal notice dated 20.09.2021 (Annexure P-2) in a time bound manner.

AND

Further during the pendency of the present writ petition, the construction in question may kindly be stayed.

RESPECTFULLY SHOWETH:

1. That the petitioners are the residents of State of Punjab and have approached this Hon'ble Court by filing the writ petition under Article 226/227 of the Constitution of India. Further the Aadhaar Cards of the petitioners are attached along with the petition.
2. That the petitioners are the residents of Colony namely Aggar Nagar, which has two separate Blocks popularly known as Block-A and Block-B. Both these Blocks are situated on the main Ferozpur Road and accordingly the colony is one of the posh area of Ludhiana City. The said

colony has been carved out by respondent No.3 having both residential plots as well as commercial plots which includes SCFs and Booths. Further in the said colony more than 750 families i.e. about 5000 persons are residing in both the Blocks.

3. That at the time of initial development of both the Blocks, for the purpose of beautification and healthy environment, the green belts were developed in the said colony. The said green belts were with the passage of time developed into Parks and accordingly are the lifeline of the colony. It is important to mention here that the petitioners are residing in Block-B for the last 40 years having house in the name of petitioner No.2.
4. That for the kind perusal of this Hon'ble Court the initial plan of the colony which was prepared in the year 1981 is being placed on record as **Annexure P-1**. The perusal of the said plan shows that from the Ferozpur side while

entering the colony there is a big green belt for the residents of the locality.

5. That further it is important to mention here that the very purpose of keeping the space for the green belt was that since there are more than 750 families residing in the colony, therefore, for the purpose of healthy environment and for beautification the same was required.
6. That now it has come to the knowledge of the petitioners that the respondent No.3-Society in an illegal manner has allowed the private respondents to raise construction in the green belt area of Block-B in the shape of commercial complex. The said construction is being done on the space which has specifically been kept for green belt area. Further, it has come to the knowledge of the petitioners that the respondent No.1 also in an illegal manner has sanctioned the plan for the purpose of raising the construction. When this fact came to the knowledge of the petitioners, they approached

respondent No.1 and 2 with the request that the illegal construction may be stopped immediately upon the land/plot which has specifically been kept for the purpose of green belt.

7. That the respondents No.1 and 2, when did not consider the genuine request of the petitioners, therefore, the petitioner No.1 through his counsel sent the detail legal notice to the respondents No.1 to 3. The copy of the legal notice dated 20.09.2021 is annexed herewith as **Annexure P-2.**

8. That the respondents No.1 and 2 did not reply to the legal notice sent by the petitioner No.1 for the reason known to them. The respondent No.3 replied to the legal notice admitting the factum that the said area was specifically kept for the purpose of green belt, further said that in the year 1986, however one plot bearing No.785 measuring 569 sq. yards was allotted by the Society to Sh.Pawan Kumar Duggal son of Sh.Prem Nath. The said plot was thereupon

green belt. Further it was mentioned in the reply that since the plot was upon the green belt, therefore, the allotment of the said plot was cancelled by the Society. Thereafter, the said allottee filed the civil suit and the Civil Court set aside the cancellation of allotment and accordingly the allotment of the said plot was upheld by the Civil Court and the Society lost the litigation till the Hon'ble Supreme Court of India. The copy of the reply dated 28.09.2021 is annexed herewith as **Annexure P-3**.

9. That the perusal of para No.4 of the reply would show that the complete reply has been filed on the ground that vide judgment and decree dated 03.04.1992, the cancellation of the plot was set aside the plot was restored to the said allottee. Therefore, for the kind perusal and proper appreciation of the said judgment, the same is being placed on record as **Annexure P-4**.
10. That the perusal of the judgment and decree (Annexure P-4) would show that the said suit

was filed with the prayer for the relief of permanent injunction by the allottee against the Society. The Ld. Trial Court after appreciating the fact that since the allotment has been cancelled without hearing the allottee, therefore, the injunction was granted. Further, however while granting the injunction the Ld. Trial Court directed the Society to reconsider the matter about the allotment of the plot and after hearing and giving an opportunity to the allottee about the wrong allotment, further directed the Society to proceed in accordance with law without being prejudice to the rights of the plaintiff therein that suit.

11. That therefore, from the perusal of the judgment and decree (P-4) it is clear that firstly at the time of deciding the suit the Ld. Trial Court was not deciding the issue regarding the fact that whether the society by any means could have allotted the plot upon the green belt or not. The only issue which was there before the Court at

that time was that whether the allotment has been done after hearing the allottee or not. Further, in that suit the directions were issued to the Society to decide the issue of allotment after hearing the plaintiff. Therefore, in any case the Ld. Trial Court by virtue of judgment and decree (P-4) has never upheld the allotment of the plot upon the green belt.

12. That therefore, the reply (P-3) filed by the Society saying that the allotment has been upheld by the judgment and decree dated 03.04.1992 by the Ld. Trial Court is completely misconstrued and accordingly by any means, the Trial Court has never allowed the allotment upon the green belt area. Therefore, the reply filed by the Society is completely wrong and further the permission by respondents No.1 and 2 for construction of the plot in issue is also legally not sustainable.

13. That therefore, the petitioners have approached this Hon'ble Court under Article 226/227 of the

Constitution of India with the submission that the respondent No.3-Society in collusion with the private respondents should not be allowed to usurp the land which has been specifically kept for the purpose of green belt.

14. That further if such type of construction is allowed to be done upon a land which has been specifically kept for green belt, then ultimately it will defeat the very purpose of doing the planning at an initial stage when the specific area was kept for the purpose of green belt. Therefore, considering the peculiar facts and circumstances involved in the present case appropriate writ may kindly be issued.

15. That further it is submitted that the very action of the Society of allotting the property for commercial construction which has been kept specifically for the purpose of green belt shows that, after the development of the colony, the Society is now trying to sale the green belt in the colony. Further, if the same is allowed to be

done, then the green belt which is left after this construction will also be utilized by the society for commercial use.

16. That further it is submitted that after the sale of the said plot, the Society has also prepared one plan wherein in the green belt the Plot No.785 has been shown, which shows that the said allotment has been done later in point of time. The copy of the plan dated 10.08.2001 is annexed herewith as **Annexure P-5**.
17. That further it is submitted that the perusal of the plan (P-5) clearly shows that the said construction over the green belt is neither for religious purpose or nor for any charitable purpose, and the same is for commercial purpose only.
18. That further it is submitted that in case the construction of commercial complex is allowed to be done on the green belt area, which is on the entry point of the colony, shall effect the

interest of the residents of the colony and will cause congestions, traffic jams and nuisance. Therefore, in any case by allowing the construction upon the green belt, the private respondents are allowing the construction by compromising with the health of the residents. Therefore, the illegal construction upon the green belt may not be allowed to be done.

19. That further it is submitted that the judgment (P-4) by any means shall not be binding upon the residents of the colony and further by virtue of the said judgment the Ld. Court below has not allowed the construction over the green belt area for some other purpose. Therefore, in any case there is a complete misinterpretation of judgment (P-4) by allowing the construction upon the green belt area.
20. That further for the kind perusal of this Hon'ble Court photographs of construction at site are being placed on record as **Annexure P-6**.

21. That therefore the petitioners have approached this Hon'ble Court by filing the writ petition under Article 226/227 of the Constitution of India.

22. That the petition raises following substantial question of law for determination by this Hon'ble Court :-

- (i) Whether the green belt area can be constructed for commercial purpose or not?
- (ii) Whether the commercial construction upon the green belt will cause undue harassment to the residents of the area or not?
- (iii) Whether there is sufficient parking available in the locality for the purpose of commercial construction or not?
- (iv) Whether the official respondents have taken any action upon the

receipt of the legal notice (Annexure P-2)?

(v) Whether the commercial construction upon the green belt area will cause lot of inconvenience to all the residents of the locality?

(vi) Whether the official respondents are allowing the construction upon the green belt by mis-interpreting the judgment (Annexure P-4)?

(vii) Whether the judgment (P-4) is being appreciated in true letter and spirit by respondent No.3?

23. That the petitioners have been left with no other alternative remedy which is so speedy and efficacious except to approach this Hon'ble High Court by way of present writ petition under Article 226/227 of the Constitution of India. There is no remedy or appeal/revision under the rules/statutes governing the petitioners.

24. That no such or similar petition has earlier been filed by the petitioners either in this Hon'ble High Court or in the Hon'ble Supreme Court of India.

On the ground submitted above and more to be stated later on, if necessary, it is therefore respectfully prayed to issue a suitable writ, order or direction especially in the nature of certiorari and mandamus directing the respondents:-

- i) To produce the complete records of the case;
- ii) To issue a writ in the nature of mandamus directing the official respondents to restrain the private respondents to do construction for commercial use upon the plot which has been kept for the purpose of green belt as the same is totally arbitrary and unjustified.

- iii) Further directions be issued to the official respondents to get the status report of the construction being done upon the green belt area.
- iv) Further directions be issued to the official respondents to take action against the private respondents in accordance with law and also to decide the legal notice dated 20.09.2021 (Annexure P-2) in a time bound manner.
- v) Requirement of filing of the certified copies/typed copies of Annexures may kindly be dispensed with;
- vi) Requirement of advance notice on the respondents may kindly be dispensed with;
- vii) Permission may be granted to place on record the true translated/typed copies of Annexures.
- viii) Award the costs of the petition.

It is further prayed that during the pendency of the present writ petition, the construction in question may kindly be stayed.

Place: Chandigarh

Dated: 18.11.2021

② Parvita Goyal
① Abhay Goyal

v
THROUGH COUNSEL

 
**[AAYUSH GUPTA] [MADAN GUPTA]
ADVOCATES
COUNSEL FOR THE PETITIONERS**

Verification:

Verified that the contents of the above writ petition from para No.1 to 21, 23 and 24 are true and correct to our knowledge and belief and submissions made in para No.22 are based on legal advice received. No part of it is false and nothing material has been kept concealed therein.

Place: Chandigarh

Dated: 18.11.2021

② Parvita Goyal
① Abhay Goyal

① (ABHAY GOYAL)

② PARVITA GOYAL

IN THE HON'BLE HIGH COURT FOR THE STATES OF
PUNJAB AND PUNJAB AT CHANDIGARH

CWP No. 24438 OF 2021

Abhay Goyal and another ... Petitioners

Versus

The Commissioner, Municipal Corporation, Ludhiana
and others ... Respondents

Affidavit of Abhay Goyal, aged about 66 years, son of Late Sh.Kanwar Sain, resident of House No.662, Aggar Nagar, Block-B, Ferozepur Road, Ludhiana, District Ludhiana.

I, the above named deponent do hereby solemnly affirm and declare as under :-

1. That the deponent is filing the present case and as such familiar with the facts, circumstances and records of the case and therefore, he is competent to swear this affidavit.



2. That the deponent states on oath that all the facts stated in the accompanying writ petition are true and correct to his knowledge and belief.

Legal submission made therein are based on legal advice received which is believed to be true

[Handwritten signature]

and correct. The entire contents of the writ petition are not being repeated herein for the sake of brevity, and may kindly be read as part and parcel of this affidavit.

- 3. That the deponent states that all the Annexures are true typed/translated copies of their respective originals.
- 4. That the deponent has not filed any other such or similar writ petition either in this Hon'ble Court or in the Hon'ble Supreme Court of India.
- 5. That the deponent declares that the Aadhaar number and address mentioned in the memo of parties is true and correct.

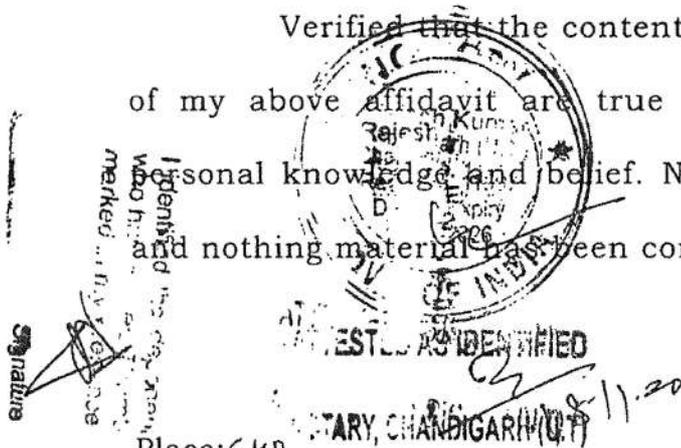


Place: CHD
Dated: 18.11.2021

(Abhay Goyal)
Deponent

Verification:

Verified that the contents of paras No.1 to 5 of my above affidavit are true and correct to my personal knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

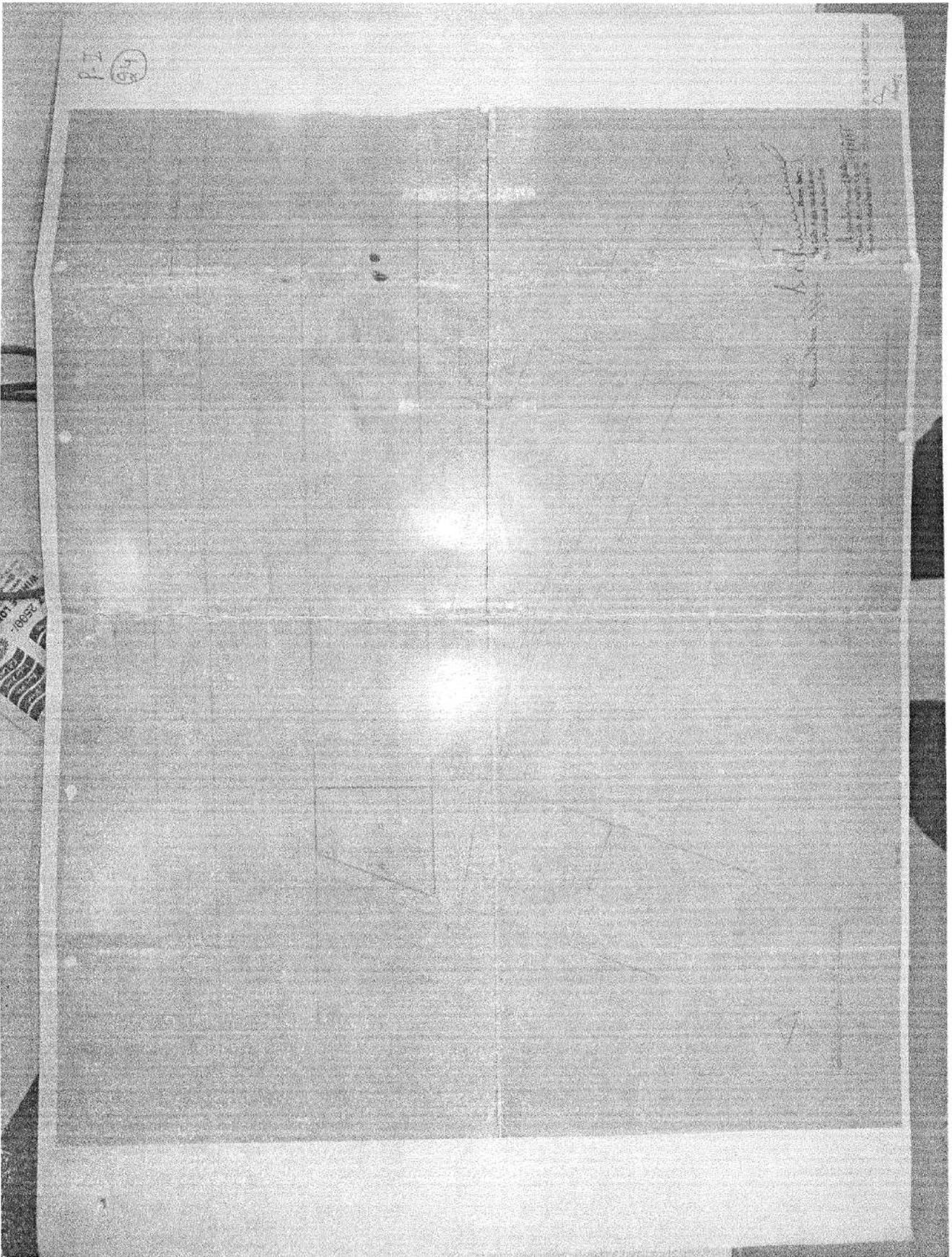


Handwritten notes on the left side of the notary seal: "I identified the signature marked as 'Rajesh Kumar'".

Notary seal text: "NOTARY, CHANDIGARH (U.T.)", "EST. AS IDENTIFIED", "18.11.20".

Place: CHD
Dated: 18.11.2021


(Abhay Goyal)
Deponent



Avinash Chander Gupta
(M) 98149-58778

Gaurav Gupta
(M) 98146-54474
ADVOCATES

Residence cum. Office :
6, Kalkaji Enclave Extension, Adj. M.I.G.
Pink Flats, Ritshl Nagar, Ludhiana-141001

Chamber No. 361, 3rd Floor,
New Distt. Courts, LUDHIANA.
Ph : 0161-2250361
E-mail : advgauravgupta361@gmail.com
E-mail : alphagupta@yahoo.co.in

Ref. No.

Dated

REGD.A.D.

September 22, 2021

To

1. The Municipal Corporation,
Zone-D, Sarabha Nagar,
Ludhiana through its Commissioner
2. The Commissioner,
Municipal Corporation,
Zone-D, Sarabha Nagar,
Ludhiana
3. The Deputy Commissioner,
Ludhiana
4. The Ludhiana Aggarwala Co-Operative House Building
Society Limited, Aggar Nagar, Ludhiana through its
President/Manager.

Sub:- Legal Notice regarding the illegal construction
being raised and being raised over the Green Belt
Area, Aggar Nagar, Ferozpur Road, Ludhiana.

Sir,

Under instructions for and on behalf of my client Sh.
Abhay Goyal son of Late Sh. Kanwar Sain resident of House
No.662, Aggar Nagar, Block-B, Ferozpur Road, Ludhiana, I
hereby serve you with the following legal notice:-

1. That the addressee no.4 is a body corporate registered
under The Punjab State Societies Act 1961 which was

Avinash Chander Gupta

(M) 98149-58778

Gaurav Gupta

(M) 98146-54474

ADVOCATES

Residence cum. Office :
6, Kalkaji Enclave Extension, Adj. M.I.G.
Pink Flats, Rishi Nagar, Ludhiana-141001

Chamber No. 361, 3rd Floor,
New Distt. Courts, LUDHIANA.

Ph : 0161-2250361

E-mail : advgauravgupta361@gmail.com

E-mail : alphagupta@yahoo.co.in

Ref. No.

Dated

established in 1971. The addressee no.4 has developed a colony under the name of Aggar Nagar having two separate blocks popularly known as Block-A and Block-B. Both these blocks are situated on the main Ferozepur Road and are the most posh area of Ludhiana City. The addressee no.4 society has carved out various residential plots. The residential plots were allotted to members. The commercial SCFs and Booths were carved out for meeting out the day to day commercial needs of the residents of these Blocks 'A & B'. The residential houses were built by various known businessmen and professions etc. With the passage of time, this area became most sought for in the entire city. At present more than 750 families i.e. about 5000 persons are residing in these blocks.

2. That various Green Belts areas were left at the time of development of these blocks for beautification and to give healthy environment and healthy life style to the residents of the area. These green belts have been developed into Parks and are the lifeline of residents of these blocks.
3. That my client has been residing in Block-B, Aggar Nagar for the last more than 40 years. At present my

Avinash Chander Gupta

(M) 98149-58778

Gaurav Gupta

(M) 98146-54474

ADVOCATES

Residence cum. Office :
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Pink Flats, Rishi Nagar, Ludhiana-141001

Chamber No. 361, 3rd Floor,
New Distt. Courts, LUDHIANA.
Ph : 0161-2250361

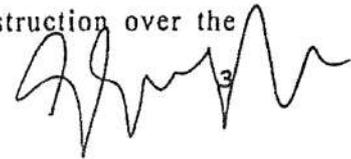
E-mail : advgauravgupta361@gmail.com
E-mail : alphagupta@yahoo.co.in

Ref. No.

Dated

client is resident of House No.662, Block-B, Aggar Nagar, Ludhiana and the said house is in the name of wife of my client namely Mrs. Parvita Goyal.

4. That you addressee no.4 and your directors are guilty of wrong doings. You addressee no.4 society has illegally and wrongly allowed one Raju Karyana Store to raise construction in the Green Belt area of Block B. Earlier Raju Karyana Store was allowed to raise illegal construction towards the front side towards the Green Belt and it has also come to the notice of my client that area measuring about 350 sq. yards of Green Belt has been illegally and wrongly transferred to said Raju Karyana Store and the said Raju Karyana Store is raising illegal construction in the shape of commercial complex over the Green Belt Area.
5. That when my client enquired about the illegal construction raised by Raju Karyana Store on the Green Belt then it was told to my client that owner of Raju Karyana Store told has purchased the said area of Green Belt from addressee no.4 Society and also claimed that he had got sanctioned one plan from Municipal Corporation, Ludhiana for raising construction over the



Avinash Chander Gupta

(M) 98149-50778

Gaurav Gupta

(M) 98146-54474

ADVOCATES

Residence cum. Office :
6, Kalkaji Enclave Extension, Adj. M.I.G.
Pink Flats, Rishi Nagar, Ludhiana-141001

Chamber No. 361, 3rd Floor,
New Distt. Courts, LUDHIANA.

Ph : 0161-2260361

E-mail : advgauravgupta361@gmail.com

E-mail : alphagupta@yahoo.co.in

Ref. No.

Dated

said Green Belt Area. The addressee no.1 and 2 have no right to sanction any plan relating to the Green Belt Area.

6. That my client approached the officials of addressee no.1 and 2 to enquire about the same and requested them such illegal construction should be stopped immediately but the concerned officials refused to accede to the request of my client. The concerned officials of MC, Ludhiana are hands in gloves with the said Raju Karyana Store and addressee no.4.
7. That the illegal acts of addressee no.4 society does not end here, the addressee no.4 society without any authority has also got constructed the shops in the Green Belt Area and has let out these shops to various persons. The addressee no.4 society has allowed the construction over the Green Belt area which is neither religious nor for any charitable purpose but for their vested interests. There are various other commercial constructions raised over the Green Belt Area of Block B which are liable to be demolished.



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Now Distt. Courts, LUDHIANA.

Ph : 0161-2250361

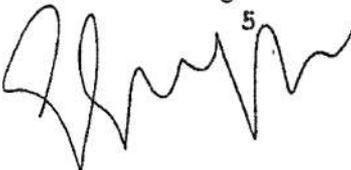
E-mail : advgauravgupta361@gmail.com

E-mail : alphagupta@yahoo.co.in

Ref. No.

Dated

8. That it has also come to the notice of my client that addressee no.4 society has illegally and wrongly sold the area of Green Belt of Block B in the shape of two plots measuring 113 sq. yards each adjoining to said Raju Karyana Store.
9. That the addressee no.4 society and its concerned directors have committed heinous crime by selling the Green Belt area. None of the person has any right to sell and dispose of Green Belt Area. Such act and conduct has affected the entire outlook of Block B of Aggar Nagar. It has also resulted into threat of security to the residents of the area. The construction of commercial complex in the Green Belt Area is against the interest of the residents of the area. Such commercial construction has resulted into congestions, traffic jams and nuisance. The same is also adversely affecting the health of the residents of the Aggar Nagar. The illegal acts of the directors of addressee no.4 have hampered the Smart City look of Ludhiana.
10. That before initiating legal proceedings against you in Hon'ble Punjab & Haryana High Court or any other competent court for demolition of the illegal

 5

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E-mail : advgauravgupta361@gmail.com

E-mail : alphagupta@yahoo.co.in

Ref. No.

Dated

constructions and also the illegal acts and deeds on the part of addressee no.1 to 4, my clients is giving you this notice to undo the illegal acts immediately.

I, therefore, call upon you addressees to immediately initiate the steps for stopping the said illegal construction of commercial complex on the Green Belt Area by Raju Karyana Store and others and also to cancel the any such alleged sanctioned plan, to demolish the shops raised by these persons on the Green Belt Area, failing which my client shall be constrained to initiate legal proceedings against you before Hon'ble Punjab & Haryana High Court as well as other courts.

Copy Retained.

Avinash Chander Gupta &
Gaurav Gupta, Advocates

RPO52612944TH IVR:8280052612944
 RL NEW COURTS SO <141001>
 Counter No:1,22/09/2021,11:15
 To:REGIONAL CORP ORATION, ZONE D
 PIN:141001, Ludhiana HD
 From:AVINASH CHA, LUDHIANA
 Wt:40gms
 Amt:30.00(Cash)
 <Track on www.indiapost.gov.in>
 <Dial 18002666868> <Wear Masks, Stay Safe>



RPO52612935TH IVR:8280052612935
 RL NEW COURTS SO <141001>
 Counter No:1,22/09/2021,11:15
 To:COMMISSIONER, CORP ZONE D
 PIN:141001, Ludhiana HD
 From:AVINASH CHA, LUDHIANA
 Wt:40gms
 Amt:30.00(Cash)
 <Track on www.indiapost.gov.in>
 <Dial 18002666868> <Wear Masks, Stay Safe>



RPO52612913TH IVR:8280052612913
 RL NEW COURTS SO <141001>
 Counter No:1,22/09/2021,11:15
 To:DEPUTY COMMISSIONER,
 PIN:141001, Ludhiana HD
 From:AVINASH CHA, LUDHIANA
 Wt:40gms
 Amt:30.00(Cash)
 <Track on www.indiapost.gov.in>
 <Dial 18002666868> <Wear Masks, Stay Safe>



RPO52612927TH IVR:8280052612927
 RL NEW COURTS SO <141001>
 Counter No:1,22/09/2021,11:15
 To:JIN AGGARWALA CD,
 PIN:141012, Rajguru Nagar SO
 From:AVINASH CHA, LUDHIANA
 Wt:40gms
 Amt:30.00(Cash)
 <Track on www.indiapost.gov.in>

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VIJAY B. VERMA

Mob : 9198150-83863

M.A.(Eng.) LL.B., Advocate

PUNJAB & HARYANA HIGH COURT

**CHAMBERS : 231, 241 & 243, 2ND-FLOOR, LAWYERS CHAMBERS COMPLEX,
PART-I, DISTRICT COURTS, LUDHIANA.**

TELE NO : 2250-241-243, OFFICE NO : 0161-4608091

OFFICE : 3RD FLOOR, HOTEL GRAND MARIAN, DUGRI ROAD, LUDHIANA.

Ref. No.

Dated

Dated: 28.9.2021.

Registered Post

To

Shri Abhay Goyal
s/o late Shri Kanwar Sain,
House No.662, Aggar Nagar,
Block-B, Ferozpur Road,
Ludhiana.

Ref: Your notice dated September 20,2021 issued by you through your counsel Shri Avinash Chander Gupta and Shri Gaurav Gupta, Advocates, Chamber No.361, 3rd Floor, New District Courts, Ludhiana to The Ludhiana Aggarwala Co-operative House Building Society Limited, Aggar Nagar, Ludhiana, Municipal Corporation, Commissioner and Deputy Commissioner, Ludhiana.

SUBJECT: REPLY TO YOUR NOTICE.

Sir,

I have been engaged by my client Shri Pawan Garg, President,
The Ludhiana Aggarwala Co-operative House Building Society

Limited, Aggar Nagar, Ludhiana and on his instructions and on his behalf, I hereby give you the following reply to your notice dated September 20, 2021:-

1. That para No.1 of your notice is correct to the extent that my client The Ludhiana Aggarwala Co-operative House Building Society Limited, Aggar Nagar, Ludhiana (hereinafter referred to as the Society) is a Body Corporate registered under The Punjab Co-operative Societies Act, 1961 and the said Society had developed a colony under the name and style of "Aggar Nagar", Ludhiana having two Blocks i.e. Block 'A' and Block 'B' on both the sides of Ferozepur Road, Ludhiana and that the Society has carved out various plots for residential and commercial purposes. At the time of formation of the Society, the entire area of the said colony of the Society was outside the limits of the then Ludhiana Municipal Committee, Ludhiana and thereafter Municipal Corporation, Ludhiana. Therefore the layout plan of the said colony of the Society was prepared by the Engineering Wing of the said Society and the some changes lateron were made therein from time to time by the Society. The Society also allotted space to various Institutions like School, Hospital and Guest House etc. and the land was also allotted to religious Institutions i.e. Jain Sathan,

Raghunath Mandir, Arya Samaj Mandir, Gurdwara etc. within the said colony of the Society.

2. That para No.2 of your notice is correct to the extent that some Green Belts were left at the time of development of said colony of the Society for beautification and to give healthy environment and healthy life style to the residents of the area and that the same were developed into Parks by the Society.
3. That para No.3 of your notice is wrong and denied. The plots within the colony of the Society have been allotted to the members of the Society and you (Abhay Goyal) are not a member of the Society nor any plot has been allotted to you. However, Smt. Parvita Goyal is a member and allottee of the Society.
4. That para No.4 of your notice is wrong and denied. It is denied that the Directors of the Society are guilty of wrong doings. It is denied that the Society has illegally and wrongly allowed one Raju Karyana Store to raise construction in the Green Belt area of Block-B or that earlier Raju Karyana Store was allowed to raise illegal construction towards the front side towards the Green Belt. It is denied that an area measuring about 350 sq.yds. of Green Belt has been illegally and wrongly transferred to

said Raju Karyana Store or that the said Raju Karyana Store is raising illegal construction in the shape of commercial complex over the Green Belt Area. All the allegations are wrong, illegal and malafide. No land has been allotted by the Society to Raju Karyana Store out of any Green Belt. However plot No.785 measuring 569 sq.yds. was allotted by the Society to Shri Pawan Kumar Duggal son of Shri Prem Nath in the year 1986. Later on, a controversy arose in the Society when some members alleged that the said plot is part of Green Belt and when the Society also passed a Resolution thereby cancelling allotment of the said plot to Shri Pawan Kumar Duggal and order of cancellation of allotment was conveyed to said Shri Pawan Kumar Duggal on 10.1.1989. Shri Pawan Kumar Duggal filed a Civil Suit bearing No.40 of 1990 on 23.1.1990 in Civil Courts at Ludhiana, challenging the cancellation of allotment of plot to him and the said suit was contested by the Society and after full trial and after recording of evidence of both the parties, the suit of Shri Pawan Kumar Duggal was decreed by the Court of Ms. Sudarshan Modi, the then Senior Sub Judge, Ludhiana vide judgment and decree dated 3.4.1992 and the cancellation of allotment made by the Society was set aside and the plot

was restored to Shri Pawan Kumar Duggal and at the same time, the Society was also restrained from interfering in the possession of Shri Pawan Kumar Duggal. The Society aggrieved by the said judgment and decree filed a Civil Appeal bearing No.35 of 16.5.1992 against the said judgment and decree dated 3.4.1992 passed by the Court of Ms. Sudarshan Modi, the then Senior Sub Judge, Ludhiana. The said appeal was filed by the Society through Shri S.R. Wadhera, Advocate and the said appeal was dismissed by the Court of Shri K.K.Kataria, the then Additional District Judge, Ludhiana on 6.5.1993 vide detailed judgment and decree. The Society was still not satisfied and therefore the Society filed a Regular Second Appeal bearing No.401 of 1994 in the Hon'ble High Court of Punjab & Haryana at Chandigarh and the said Regular Second Appeal was dismissed by Hon'ble Mr. Justice R.S. Mongia, Judge, Punjab & Haryana High Court, Chandigarh vide order dated 19.7.1994. Still the Society was not satisfied and the Society went in Hon'ble Supreme Court of India and filed SLP, which was also dismissed by the Hon'ble Supreme Court of India. Thus, the litigation regarding allotment of plot and the question whether the plot was a part of Green Belt or not has been finally decided

between the parties upto the Hon'ble Supreme Court of India. The Society thereafter executed a Registered Sale Deed of the said plot in favour of the said Shri Pawan Kumar Duggal on 18.7.1995 bearing Vasika No.14156 dated 18.7.1995 and mutation in the revenue record was also sanctioned in favour of Shri Pawan Kumar Duggal. Lateron the said Shri Pawan Kumar Duggal executed two different sale deeds in respect of the said plot both of the area measuring 284-1/2 sq. yds. each bearing Vasika No.22763 dated 10.1.1997 and Vasika No.22871 dated 13.1.1997 in favour of Shri Avinash Chander s/o Shri Khushi Ram s/o Shri Mela Ram. Lateron Shri Avinash Chander died and as per arrangement amongst his legal heirs, the said plot was transferred by the Society in favour of his son Shri Rakesh Kumar Gupta s/o late Shri Avinash Chander Gupta. Said Shri Rakesh Kumar Gupta further sold part of the said plot measuring 342 sq. yds. to Shri Sumit Arora son of Shri Ramesh Kumar Arora and Shri Ankit Arora son of Shri Ramesh Kumar Arora vide registered sale deed dated 24.5.2019 and mutation in the revenue record was also sanctioned in favour of said Shri Sumit Arora and Shri Ankit Arora. The said purchasers Shri Sumit Arora and Shri Ankit Arora applied to Municipal

Corporation, Ludhiana alongwith all the documents of title, building plan and also deposited the building fee and other charges. The building plan of said two purchasers of the plot measuring 342 sq. yds. has already been sanctioned by Municipal Corporation, Ludhiana after verifying the documents and the site. Shri Sumit Arora and Shri Ankit Arora partners of said Raju Karyana Store and it is the said two owners Shri Sumit Arora and Shri Ankit Arora who are raising construction as per the building plan approved by Municipal Corporation, Ludhiana. Therefore, you are neither a member of the Society nor you have any right, title or interest in the said property and therefore your allegations that the said plot is part of Green Belt are also wrong and in breach of the said judgments and decrees.

5. That para No.5 of your notice is wrong and denied. It is denied that any illegal construction was raised by Raju Karyana Store on the Green Belt or that it was informed to you that the owner of Raju Karyana Store has purchased any area of Green Belt from the Society as alleged. True facts have already been detailed above. As already stated that the said plot is not part of Green Belt.

6. That para No.6 of your notice is wrong and denied. The allegations made in this para of your notice are wrong, illegal and manipulated to create a fake cause of action. In view of the facts detailed above, the allegations being made by you in your notice pale into insignificance and evaporate.
7. That para No.7 of your notice is wrong and denied. It is denied that any acts of the Society are illegal or that the Society without authority has got constructed the shops in the Green Belt area or has let out any such shops to various persons as alleged. It is denied that the Society has allowed the construction over the Green Belt area which is neither religious nor for any charitable purpose, for any vested interests as alleged. It is denied that there are various other commercial constructions raised over the Green Belt area of Block-B or that the same are liable to be demolished. The allegations are wrong, illegal and malafide.
8. That para No.8 of your notice is wrong and denied. It is denied that the Society has illegally and wrongly sold any area of Green Belt of Block-B in the shape of two plots measuring 113 sq. yds. each adjoining to said Raju Karyana Store.
9. That para No.9 of your notice is wrong and denied. It is denied that the Society or its concerned directors have

committed any heinous crime by selling any Green Belt area as alleged. As already stated the allotment was made by the Society strictly as per law and as per order of the competent Courts of jurisdiction. It is denied that any act of the Society has resulted into any threat of security to the residents of the area as alleged. It is denied that there is any construction of the commercial complex in the Green Belt area . As already stated now the entire area of the said colony of the Society is under direct control of Municipal Corporation, Ludhiana. It is denied that any act of the Society was directly effecting the health of residents of Aggar Nagar, Ludhiana. It is denied that any alleged act of the directors of the Society has hampered the smart city look of Ludhiana. .

10. That para No.10 of your notice is wrong and denied. However, in case any illegal proceedings are filed by you against the Society on baseless allegations, you shall be liable for all the costs, risks and consequences. Your said acts are also defamatory against Society.

Last para of your notice is wrong and denied. You are hereby called upon to withdraw your notice forthwith and desist from initiating any false and frivolous proceedings against the Society. In case still you opt to initiate any false and frivolous proceedings

against the Society, the same shall be strongly contested by my client at your own costs, risks and consequences and the Society reserves its right to file appropriate legal proceedings against you as provided under the law.

A copy of this reply has been retained in my office.

Yours faithfully,

~~(VIJAY B. VERMA)~~



Advocate

VIJAY B. VERMA

Enrol. P/24/1982 ADVOCATE
Chamber No. 241, 2nd Floor,
Lawyers Chamber Complex, Distt. Courts,
Ludhiana (Mob. No.) 98150-83863
E-mail: vijaybharatverma1951@gmail.com

✓ Copy to:

Shri Avinash Gupta

Sh. Gaurav Gupta

Advocates

6, Kalkaji Enclave Extension,
Adjoining M.I.G. Pink Flats,
Rishi Nagar, Ludhiana
(Mobile: 98149-58778)
for information please.

T.P.C
@Pm
ADL

In the Court of Mrs. Sudarshan Modi, PCS, Senior
Sub Judge, Ludhiana.

C.S. No.46 of 1990

Date of Institution: 23.01.90

Date of Decision: 03.04.1992

Pawan Kumar Duggal s/o Sh.Prem Nath Duggal, C/o
M/s Kamal Agencies near Congress Office, G.T. Road,
Ludhiana.

.... Petitioner

Versus

The Ludhiana Aggarwala Co-operative House
Building Society Ltd., Aggar Nagar, Ludhiana
through its Office Secretary/Managing Committee.

.... Defendant

Present: Vijay B Verma counsel for the plaintiff.

Sh.H.P. Sharma Counsel for the defendant.

JUDGMENT :

The facts which emerged from the
present plaint are epitomized as under :-

2. That plaintiff is member of the defendant society which is body corporate registered under the Punjab Co-operative Societies Act 1961; that the plaintiff made an application to the defendant society for the allotment of a plot; that on the application of the plaintiff, the Managing Committee of the defendant society deputed Sh.Amar Singh, Sectional Officer of the defendant society to report about some suitable site; that Amar Singh S.O. submitted his report on 21.2.86 and he recommended a suitable site for allotment to the plaintiff; that the defendant society enrolled the plaintiff as its member vide allotment No.1500 and allotted a plot No.785 measuring 569 sq. yards with the boundaries North shops of defendant society on Ferozepur Road, South road 30', East open space, West Arya Samaaj Mandir situated at part-B, Agar Nagar, Ludhiana. that the said plot was allotted to the plaintiff @ Rs.200/- per sq. yards i.e. for total sale consideration of Rs.1,13,800/-; that out of which the plaintiff

has already paid a sum of Rs.50,000/- vide three receipts of Rs.25,000/- dated 2.5.86, Rs.15,000/- vide receipt dated 2.6.86 and Rs.10,000/- vide receipt dated 30.6.87 and remaining sale consideration was agreed to be paid by the plaintiff in installments; that after the payment of part of sale consideration the possession of the said plot was handed over by the defendant society to the plaintiff through Amar Singh Sectional Officer on 2.5.86; that the defendant society vide its letter dated 10.1.89 informed the plaintiff that the allotment of the said plot has been cancelled; that this letter was issued by Kuldip Singh Ghai, the so called President of the defendant society; that the letter of cancellation of the allotment is wrong, illegal, malafide, without jurisdiction as the said order has been passed without any notice, without affording opportunity to the plaintiff of hearing; that Sh.Kuldeep Singh Ghai was not competent to cancel the said allotment and to issue letter

dated 10.1.89 in view of the order passed by Sh.Bhagwan Singh in Civil suit with the caption The Ludhiana Aggarwala Co-operative House Building Society Ltd. Vs. Ved Parkash and others, wherein the alleged committee member were specifically restrained from acting as office bearers of defendant society; that allotment was duly made against part consideration and possession too was delivered; that there was no provision to revoke the same; that defendant society is stopped by its act and conduct from cancelling the allotment; that employees of the defendant society have now threatened the plaintiff that they will take forcible possession to which they have given no right. It is also alleged that plaintiff served the defendant with notice u/s 79 of the Punjab Co-operative Societies Act. Hence this suit seeking the relief that defendant should be restrained from interfering in his lawful possession.

3. Pursuant to the summons issued by the Court the defendants made the appearance. At the very outset they challenged the maintainability of suit in the present form alleging that jurisdiction of this Court is barred u/s 82 of the Punjab Co-operative Societies Act. On merits, the defendant society admitted the plaintiff to be member of the defendant society but according to it no valid allotment was made; that the plot which was allotted to the plaintiff was part of green belt; that enquiry was conducted by ARCS Jagraon on the basis of complaint made by one of the members of defendant society to the Deputy Commissioner who appointed Sh.Amarjit Singh Gill ARCS, as enquiry officer that he found illegal allotment made by the managing committee of the defendant society out of the green belt; that the said report was laid before the General House which is Supreme body and said body accepted report and cancelled the allotment of all those plots which were carved out of the green belt

with malafide intention; that plaintiff was never given any possession as no such plot exists with the boundaries as disclosed by the plaintiff. It is, therefore maintained that plaintiff has got no right on the plot and prayed that suit of the plaintiff be dismissed :-

4. The parties went to trial on the following issues:-

1. Whether the plaintiff is entitled for permanent injunction? OPP

1A. Whether the suit is not maintainable as jurisdiction of this Court is barred u/s 82 of the Punjab Cooperative Societies Act? OPD

2. Relief.

5. Both the parties led evidence and after hearing the Ld. Counsel for the parties I proceed to record my findings as under :-

Issue No.1, 1A. Both the issues are interconnected and interlinked, so I take up both the issues together for discussion.

6. Accordingly to the plaintiff, he is in possession of the suit property as the same was allotted to him; that part consideration too was paid by him and defendant has got no right to interfere in his possession. In order to prove the said version the plaintiff himself appeared in the witness box as PW1 and he narrated the facts as alleged by him in the plaint and also proved the receipts of part payment. According to him, a sum of Rs.25000/- was paid by him vide receipt dated 2.5.86 and a sum of Rs.15,000/- was paid by him vide receipt dated 2.5.86 and proved copy of the same as Ex.P1 and Ex.P2 and thereafter according to him he made payment of Rs.10,000/- vide receipt dated 30.6.87, he got the original receipt and proved its copy as Ex.P3. He also clearly stated that Sectional Officer of the defendant prepared the site plan of the disputed property in triplicate,

one copy was given to him and he proved copy of site plan Ex.P4. He further disclosed that writing with regard to delivery of possession was made by Amar Singh Sectional Officer and proved the same as Ex.P5. He then stated that allotment certificate was issued in his favour by Smt. Harvinder Kaur Administrative Officer of the Society on 2.5.86, he brought the original allotment letter and proved certified copy of same Ex.P6. He also brought original receipt of Rs.5/- and Rs.50/- and proved the copy of same as Ex.P7 and Ex.P8. He also brought receipt of Rs.450/- which defendant society has received on 2.5.86 and proved its copy Ex.P9. He proved the report of Sh.Amarjit Singh dated 21.9.87 as Mark-A.

7. Further, according to him defendant society informed him on 10.1.89 about cancellation of the plot. He brought said letter and proved its copy as Ex.P10. He further stated that defendant society did not serve him with any show cause notice nor had given any

opportunity of being heard before issuing show cause notice Ex.P10 which bears signatures of Kuldip Singh Ghai who according to him was not President of the society, he therefore challenged the authority of Kuldip Singh Ghai and disclosed that he had no authority to cancel the allotment. He proved the notice which according to him was served by him u/s 79 of the Punjab Co-operative Societies Act to the Registrar of Co-operative Societies Punjab under registered post through his counsel Sh.Vijay Verma and proved its copy Ex.P11 and postal receipt Ex.P12. According to him, he did not receive any reply and also clearly stated that defendants have now threatened to dispossess him from the plot which is in his possession as owner.

8. This version that allotment of the plot was made and part consideration too was received by the defendant society stands proved from the statement submitted by the witnesses examined by the defendant society.

9. Amar Singh Sectional Officer of the defendant society when appeared as DW3 stated that Ex.P5 bears his signatures and it is in his writing. He admitted that words "specific possession" has been given to Pawan Kumar Duggal and site as per map" is in his writing but he then stated that actual possession was not delivered at the site. It was on paper only which was at the instance of Amrit Lal Sagger who was President of the society. According to him, plot allotted to Pawan Kumar Duggal was part of green belt and it is being used as park and the possession of the said plot is with the defendant society.
10. In his cross-examination, he admitted to be correct that Ex.P5 is prepared by him and also stated that he did not remember if any warning regarding his work and not complying the order of the Presiding was given to him. He then stated that Amrit Lal was its President and he has been doing all whatever he desired to be done by him. According to him he was bound to

comply with the order even if it was illegal order. When he was asked if he had brought the site plan or lay out plan of the colony or society to show disputed property to be part of green belt, he stated that he did not bring the same. However he stated that adjoining to the disputed property there is Arya Samaaj Mandir and there is constructed building of Arya Samaaj Mandir alleging that it was also part of green belt. He admitted that he is working in the society from the date of inception of society viz from 1972. According to him he has seen lay out plan of the society and is competent to tell as to which area fell in green belt and which area does not fall in green belt. At the same time, he admitted that society has constructed 21 shops and the area of which shops were constructed is area of green belt. He also admitted to be correct that society has allotted land to Raghunath Hospital, Mandir, Gurudwara, Jain Asthan, Arya Mandir. All India Manav Ekta Samiti, and Mansarover and

these institutions have raised construction on the site allotted to them. According to him society does not have any sanctioned lay out plan of Municipal Corporation Ludhiana wherein green belt has been shown and further stated that original lay out plan was got changed to the extent of site which have been allotted to these institutions. When he was asked if he has brought any changed lay out plan he stated that he did not bring the same and clearly admitted that said lay out plan too was not sanctioned by any legal competent body. According to him, it was with the Town Planner but he admitted to be correct that the entire area of Agar Nagar society now fall within the jurisdiction of Municipal Corporation. He admitted that he has written in Ex.P5 that possession of the disputed plot has been delivered to the plaintiff at the spot. He admitted site plan Ex.P4 and Ex.P5 to be correct as per existing position at the spot. He also admitted to be correct that when allotment

was made to the plaintiff, Amrit Lal was not President of the society and the society was being run by Administrator Officer and Smt. Harvinder Kaur was the Administrator Officer and she signed documents Ex.P4 and Ex.P5. According to him the Administrator was appointed by Asstt. Registrar and he is Govt. employee and Administrator appointed the Advisory committee.

11. On careful perusal of statement of this witness I find that possession was delivered to the plaintiff at the time of allotment and Amrit Lal Aggarwal was not the President and entire work was required to be done by Administrator. Harvinder Kaur the Administrator did sign the document Ex.P4 and Ex.P5.
12. Smt. Harvinder Kaur Administrator when appeared as DW1 also admitted her signatures on the documents Ex.P4 and Ex.P5 and also identified the signatures of Amar Singh Sectional Officer of the society. She also admitted her signatures on allotment

certificate Ex.P6 and also admitted that Asstt. Registrar Co-operative Society Ludhiana granted permission and allowed the resolution of allotment passed by her in favour of the plaintiff.

13. F.C. Kaushal Secretary of the defendant society in his cross examination admitted that all the correspondence received by society is placed before the President and thereafter the same is then entered in the receipt register of the society which is done by the Clerk. According to him document Ex.D1 vide which allotment was cancelled was not received in the office as it does not bear any receipt No. of the society, in fact said letter was never received in the office of society but after some time of issuing letter Surinder Singh Mann sent photo copy of letter Ex.D1 to the office requiring as to what action had been taken and they filed reply that no such letter was received by the society.
14. According to the Ld. Counsel for the plaintiff that this letter Ex.D1 was subsequently

prepared the submission in the set of circumstances does not appear to be without force.

15. He (Mr. Kaushal DW) admitted that plaintiff deposited a sum of Rs.50,000/- as part consideration in receipt of plot in question and remaining amount was required to be paid by him in installments. He however showed his inability to disclose if plaintiff had coming to the society for depositing the installments and society refused to accept the same. He admitted that plaintiff to be member of the society. He however admitted to be correct that meeting of the office bearer of society was called and general body meeting was held on 10.7.88 and clearly stated that none of the member of the body attended the meeting.
16. Pritpal Singh Inspector DW4 simply proved the enquiry alleged to have been conducted by ARTC of Jagraon on the complaint of one member of the defendant society which has been exhibited as Ex.DW4/1.

17. I may mention here that said enquiry has got no bar on the case of the plaintiff for the obvious reason that plaintiff was allotted plot and sale consideration too was paid by him and he is in possession of the said plot and before cancelling the plot no opportunity was given to him by the society and it also does not stand proved at all that K.S. Ghai was competent to do the needful.

18. The Ld. Counsel for the plaintiff submitted that once the plot has been allotted, the same cannot be cancelled on the ground that it has been allotted wrongly, and before passing order of cancellation an opportunity or notice is required to be given to the allottee and in case it is not done, so the said cancellation is not proper one. In support of his submissions, he referred before me an authority reported in All India Land Laws Reporter Vol. 18 at page 580 where his Lordship in case with the caption Chairman Jalandhar Improvement Trust Vs. Inder Singh has been pleased to hold that when

the plot has been allotted by Improvement Trust. The Improvement Trust was not competent to cancel it on the ground that it was wrongly allotted and Improvement Trust was required to give opportunity and notice to the allottee. On the same analogy the Ld. Counsel for the plaintiff submitted that in the case in hand too defendant society was required to serve the plaintiff with notice that allotment of the plot made to him was wrong and it could not have been done, but as referred to above no such notice was given by the defendant society so the said cancellation in the set of circumstances cannot be said to be valid one.

19. Now referring to the submission of Ld. Counsel for the defendant that suit of the plaintiff is not maintainable and this court has got no jurisdiction to adjudicate the matter in controversy. I may mention here that this plea of defendant has got no force in it. I stand fortify my view from the authority reported in

1981 P.L.J. 251 where his Lordship in case with caption Gurdev Singh and others Vs. Kura Singh @ Kaka Singh has been pleased to hold as under:-

“The impugned order has been assailed by the Ld. Counsel on the same ground on which the trial court had declined the prayer for ad-interim injunction. But I am unable to find any substance in the argument that the civil court has no jurisdiction to try this suit. The suit is for a permanent injunction restraining the petitioners from dispossessing the respondent from the land in dispute except by due process of law. Such a suit would not be covered by Section 55 of the Punjab Co-operative Societies Act 1961.

The facts of the present case are para-material with the facts of the authority quoted above. In this case too the plaintiff is in lawful

possession of the land of the defendant being the member of the defendant society so defendant society cannot interfere in his possession and plaintiff is willing his right to seeking relief of injunction relief of injunction in case defendant society interfere in his possession and the jurisdiction of civil court is not barred.

20. I may mention here that plaintiff has able to prove that defendant society is not within its right to interfere in his possession of the plot so defendant society is restrained to interfere in his possession. However defendant society of course can re-consider the matter about the allotment of the plot and after hearing and giving an opportunity to the plaintiff, about the alleged wrong allotment can proceed further according to law without prejudice to the right of plaintiff to seek further relief in the case. Accordingly issue No.1 is decided in favour of the plaintiff and issue No.1A is decided against the defendants.

Issue No.2 Relief.

21. In the final analysis, in view of my findings on above issues, the suit of the plaintiff is hereby decreed leaving the parties to bear their own cost. Decree sheet be prepared and file be consigned.

Pronounced.

03.04.1992

Sd/-

Senior Sub Judge,

Ludhiana.

Value of the suit for the purpose of jurisdiction
Rs.130/-

Value of the suit for the purposes of court fee
Rs.130/-

Amount of Court Fee affixed on the plaint: Rs.13/-

Decree in Suit for Possession Etc.

In the Court of Mrs. Sudarshan Modi, PCS, Senior
Sub Judge, Ludhiana.

C.S. No.46/223-A of 1990/1991

Pawan Kumar Duggal s/o Sh.Prem Nath Duggal, C/o
M/s Kamal Agencies near Congress Office, G.T. Road,
Ludhiana.

.... Petitioner

Versus

The Ludhiana Aggarwala Co-operative House
Building Society Ltd., Aggar Nagar, Ludhiana
through its Office Secretary/Managing Committee.

.... Defendant

Suit for permanent injunction restraining
the defendants from interfering in the

possession or from dispossession the plaintiff forcibly and illegally from Plot No.785, measuring 569 sq. yards situated in Part-B, Aggar Nagar, Ludhiana more clearly shown in the site plan and boundaries as under:-

North: Shop of defendant-society on Ferozepur Road.

South: Road 30'

East: Open space

West: Arya Samaj Mandir

either by itself, or through its agents, servants, employees, committee members and members on the basis of oral and documentary evidence.

Plaint presented on : 22.01.1990

The suit coming on this day for final disposal before me (Mrs. Sudarshan Modi, P.C.S. Senior Sub Judge, Ludhiana, in presence of Sh.Vijay B Verma counsel for the plaintiff and Shri Hari Parkash Sharma counsel for the defendants, it is ordered that

the suit of the plaintiff is hereby decreed. It is further ordered that the parties are left to bear their own costs.

Costs of Suit

	Plaintiff	Defendant
1. Stamp for plaint	13.00	0.00
2. Stamp for power	1.25	1.25
3. Stamp for Exhibits	0.00	0.00
4. Subsistence for witnesses	0.00	40.00
5. Commissioner's fee	0.00	0.00
6. Service of process	0.75	0.75
7. Pleader's fee	13.00	13.00
8. Miscellaneous	2.50	2.50
Total Rs.	30.50	57.50

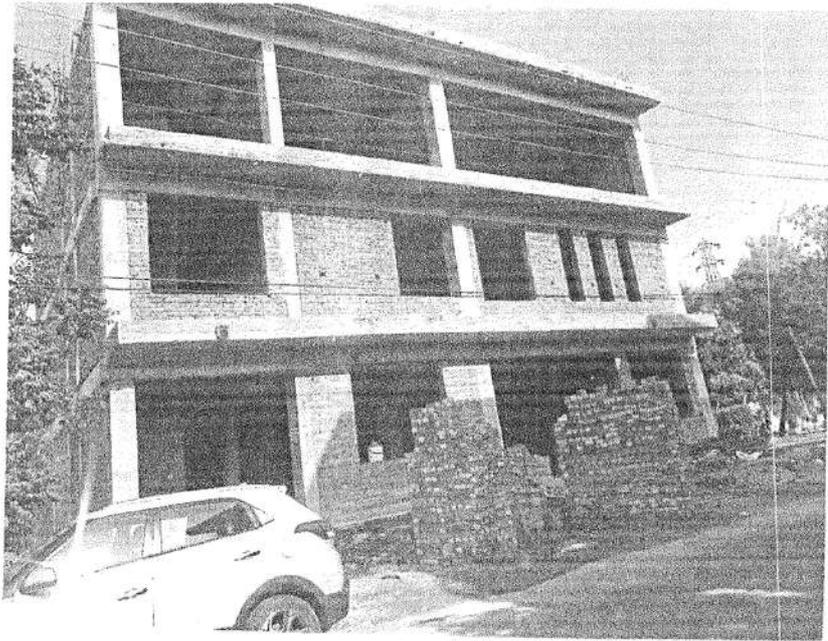
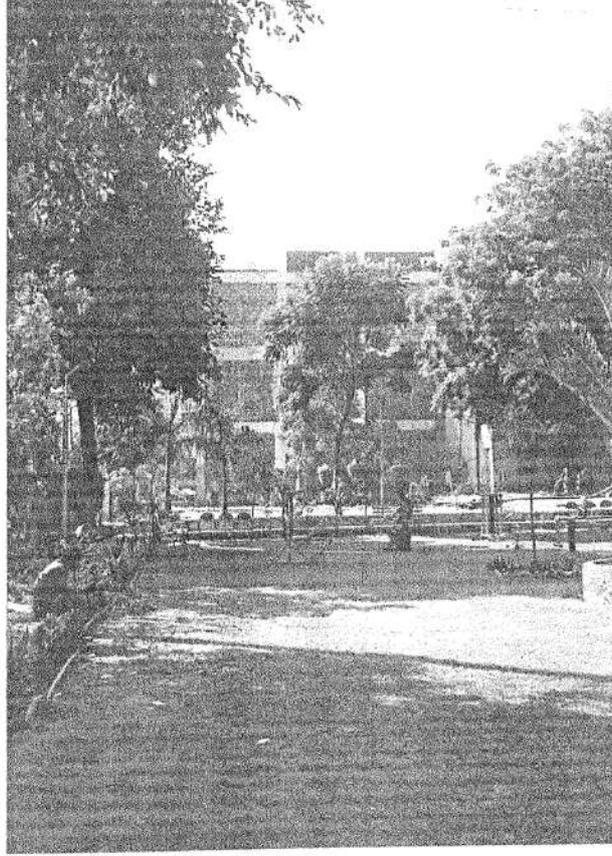
Given under my hand and seal of the court on
this 3rd day of April, 1992.

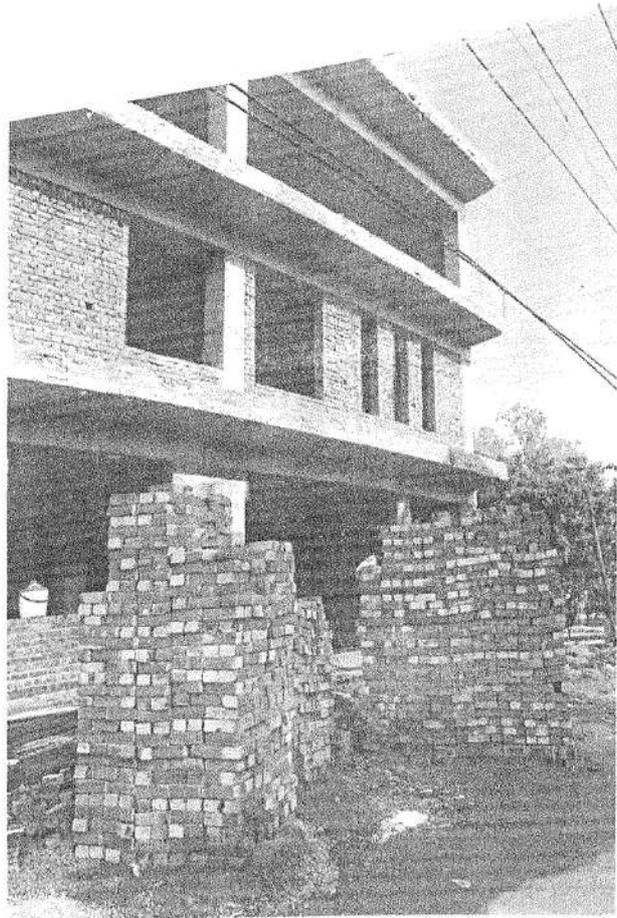
Sd/-
Senior Sub Judge,
Ludhiana.

CERTIFIED TO BE TRUE TYPED COPY



ADVOCATE





VAKALATNAMA

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

In re :

CWP 24438/2021

Abhay loyal and and.

VERSUS

The Commissioner M.C. Ldh. and ors

] Petitioner or Appellant

] Plaintiff or Defendant

] Respondents

] Defendant

KNOW ALL the whom these present shall come that I/We, the undersigned appoint

MADAN GUPTA**AAYUSH GUPTA**

ADVOCATES

PUNJAB & HARYANA HIGH COURT, CHANDIGARH
CHAMBER NO. 130 & ROOM NO. 1, NEW BAR COMPLEX
Office-cum-Resl. : # 244, Sector 12-A, Panchkula

Mobile : 094171-84545, Phone : 0172-2560244, E-mail : aayushguptachd@gmail.com

to be the Advocate for the Petitioner in
the above mentioned case to do the following acts, deeds and things or any of them, that is to say :

1. To act, appear, and plead in the above-mentioned case in this Court or any other Court in which the same may be tried or heard in the first instance or in Appeal or Letters Patent Appeal or Review or Revision or Execution or any other stage its progress unit its final decision.
2. To present, sign and verify, Pleading, Appeals, Letters Patent Appeals, Cross objections or petition for executions review, revision, withdrawal, compromise or other petitions or affidavits or other documents as shall be deemed necessary or advisable for the prosecution of the said case in all its stages.
3. To withdraw or compromise the said case or submit to arbitration any differences or disputes, that shall arise touching or in any manner relating to the said case.
4. To deposit, draw and receive moneys as grant receipts thereof by way of costs refund or balance of security and other miscellaneous expenses from Courts or parties, and to do all other acts and things which may be necessary to be done for the progress and in the course of prosecution of the said case.
5. To employ any other Legal Practitioner authorising him to exercise the powers and authorities hereby conferred upon the Advocate whenever he may think fit to do so.

AND I/We hereby agree to ratify & certify whatever the Advocate or his substitute shall do in the premises/proceedings.

AND I/We hereby agree not to hold the Advocate or his substitute responsible for the result of the said case in consequence of his absence from the Court when the said case is called on for hearing or otherwise.

AND I/We hereby agree that in the event of the whole or part of the costs of the said case until the same is paid and if any cost are allowed for the said case, the Advocate shall be entitled to the same.

AND I/We hereby agree that the Advocate will not bound to appear in the said case if the case is transferred to any other Court or the Court sits at any place other than its normal place of sitting & if any application or Retention is to be filed in the case, the Advocate will be entitled to a fresh fee in the case.

IN WITNESS WHERE OF I/We here onto set my/our hands to these presents the contents of which have been explained to and understood by me/us.

This the 18 day of 11 2021Witness
Accepted**MADAN GUPTA**

Advocate

Enrl. No. : P / 460 / 1986

AAYUSH GUPTA

Advocate

Enrl. No. : P / 3145 / 2010

(Signature or thumb impression)
of the Client

① ABHAY LOYAL





भारत सरकार
 Unique Identification Authority of India
 Government of India

Enrollment No.: 1088/80525/09928

To
 Abhay Kumar Goyal
 S/O: Kanwar Sain
 662 SECTOR-B
 AGGAR NAGAR
 Rajguru Nagar
 Rajguru Nagar
 Ludhiana Ludhiana
 Punjab 141012
 9357905383

16/09/2015
290209788



MP902097885FT



Handwritten signature

आपका आधार क्रमांक / Your Aadhaar No. :

आधार - आम आदमी का अधिकार



भारत सरकार
Government of India



Abhay Kumar Goyal
DOB : 22/09/1955
Male



आधार - आम आदमी का अधिकार

*TFC
Adm*

✓
1159
Membership
No.
✓



ਭਾਰਤ ਸਰਕਾਰ
Unique Identification Authority of India
Government of India

ਦਾਖਿਲੇ ਦੀ ਪਛਾਣ / Enrollment No.: 1211/80010/01612

To
ਪਵਿਤਾ ਗੋਯਲ
Parvita Goyal
W/O Abhay Goyal
House No 662 Block-B
22/10/2011 Aggar Nagar Rajguru Nagar
Ludhiana
Punjab 141012
9779945086

31267368

UG312673682IN



ਤੁਹਾਡਾ ਆਧਾਰ ਨੰਬਰ / Your Aadhaar No. :

ਆਧਾਰ - ਆਮ ਆਦਮੀ ਦਾ ਅਧਿਕਾਰ



ਭਾਰਤ ਸਰਕਾਰ
GOVERNMENT OF INDIA



ਪਵਿਤਾ ਗੋਯਲ
Parvita Goyal
ਜਨਮ ਦਾ ਸਾਲ / Year of Birth : 1957
ਇਸਤਰੀ / Female

Parvita Goyal



ਆਧਾਰ - ਆਮ ਆਦਮੀ ਦਾ ਅਧਿਕਾਰ

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Aaru

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ANNEXURE R-14

In the High Court of Punjab and Haryana at, Chandigarh

Civil Writ Petition No. 24438 of 2021

Abhay Goyal and Ors.

..... Petitioners

Versus

The Commissioner, Municipal Corporation, Ludhiana and others

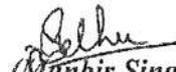
..... Respondents

INDEX

Sr. No	Description	Date	Page No.	Court fee
1.	Written statement on behalf of Respondent No. 3	06.02.2022	1-9	—
2.	Annexure R-3/1 (Copy of Judgment)	23.11.1994	10-18	6/-
3.	Annexure R-3/2 (Copy of Judgment and decree)	19.10.1993	19-36	12/-
4.	Annexure R-3/3 (Copy of High Court Order)	19.07.1994	37-38	3/-
5.	Annexure R-3/4 (Copy Indemnity Bond)	29.07.2021	39-40	2/-
6.	Annexure R-3/5 (Copy Indemnity Bond)	29.07.2021	41-42	2/-
7.	Power of Attorney/Resolution	06.02.2022	43-44	3/-

As-20/-

06 .02.2022


 (Manbir Singh) & (Penaaz Dhillon)
 P-4802/2017 PH/5992/2019
 Advocates,
 Counsel for the Respondent No. 3
 Mobile:- 97804-00149

In the High Court of Punjab and Haryana at Chandigarh

Civil Writ Petition No. 24438 of 2021

Abhay Goyal and Ors.

Petitioners

Versus

The Commissioner, Municipal Corporation, Ludhiana and others

..... Respondents

Written statement on behalf of Respondent No. 3 by Suresh Kumar Jindal, Committee Member-cum-Cashier. The Ludhiana Aggarwala Cooperative House Building Society Ltd. Aggar Nagar, Ludhiana.

Respectfully Showeth:

Preliminary Submissions

1. That the Ludhiana Aggarwala Cooperative House Building Society Ltd. Aggar Nagar, Ludhiana was registered as a Cooperative Society on 29.04.1971. Society purchased land for allotment of developed plots to its members. Society developed a Colony under the name and style of "Aggar Nagar", Ludhiana having two Blocks on both sides of Ferozpur-Ludhiana Road. When the Society had developed the Colony, entire area of the Colony was outside the municipal limits.
2. That since the Colony was developed by the Society and the area was outside the municipal limits, therefore the Society was the

competent authority to prepare the layout plan. Engineering Wing of the Society prepared the lay out plan. Under bye-law 27 of the registered bye-laws of the Society, Society was competent to prepare the lay out plan and make changes keeping in view the exigencies of time. Society allotted land to Institutions like School, Hospital, Guest House etc. Land was also allotted to religious Institutions i.e. Jain Sathan, Raghunath Mandir, Arya Samaj Mandir, Gurdwara etc.. Society had left some open space for future development of the Colony and for beatification and to give healthy environment. Parks were developed by the society. After allotment of plots, construction of roads, allotment to schools and other religious institutions, community centre, open space left in Sector 2 (Part 'B') Aggar Nagar is 37466 Sq. yds. as against 27120 in Sector 1 (Part 'A') as is evident from the Lay-Out Site Plan of Aggar Nagar prepared on 10.08.2021. Plot of Petitioner No. 2 is in Sector 2 (Aggar Nagar Part 'B').

3. That when the limits of the Municipal Corporation, Ludhiana were extended over the Colony known as Aggar Nagar, Society filed a civil suit No. 360 of 1986 on 22.08.1986 for perpetual injunction restraining the Municipal Corporation, Ludhiana for declaring the alleged streets and parks in Aggar Nagar, Ludhiana as public streets and public parks and from vesting the said alleged streets and parks in defendant Municipal Corporation, Ludhiana. Suit was decreed by Shri Sham Sunder Gupta, Sub Judge, 1st Class, Ludhiana, a copy of which is attached as Annexure R-3/1 to this written statement.

4. That Pawan Kumar Duggal applied for the membership of the Society. He was enrolled as a member of the society and was allotted a plot No. 785 measuring 569 sq yards in Aggar Nagar Ludhiana on 23.02.1986. near the Arya Samaj Mandir. A controversy arose when some members

alleged that plot no 785 is a part of green belt and the Society passed a resolution cancelling the allotment of Sh Pawan Kumar Duggal and the cancellation of allotment was conveyed to Sh Pawan Kumar Duggal on 10.01.1989 by Shri Kuldip Singh Ghai, President of the Society. Sh Pawan Kumar Duggal filed Civil Suit No.46 of 1990 titled as Pawan Kumar Duggal versus the Ludhiana Aggarwala Cooperative House Building Society Ltd. and the Civil Suit was decreed by the Court of Mrs. Sudarshan Modi, Senior Sub Judge, Ludhiana on 03.04.1992. Society filed Civil Appeal No. 35 of 16.05.1992 which was reassigned No. 58 of 06.05.1993 against the judgment and decree passed by the Court of Mrs. Sudarshan Modi, Senior Sub Judge, Ludhiana dated 03.04.1992. Appeal was dismissed by the Court of Sh. K.K. Kataria, Additional District Judge, Ludhiana on 19.10.1993. A copy of the judgement and decree is attached as Annexure R-3/2 to this written statement. Society filed RSA No. 401 of 1994 in the Hon'ble High Court. A specific ground was taken that plaintiff filed the suit for permanent injunction but in substance it was a suit for declaration and no suit for declaration was competent before the civil court as the jurisdiction of the civil court is specifically barred under Section 82 of the Act. R.S.A. No. 401 of 1994 was dismissed on 19.07.1994 and a copy of the order is attached as Annexure R-3/3 to this written statement. Society filed S.L.P. in the Hon'ble Supreme Court of India and the S.L.P. was also dismissed. Thus the judgement and decree of the Ld. Trial Court attained finality.

5. That after the dismissal of the SLP by the Hon'ble Supreme Court of India, Society executed a registered sale deed of the plot in favour of Sh Pawan Kumar Duggal on 18.07.1995 bearing Vasika No. 14156 dated 18.07.1995 and mutation was also sanctioned in the revenue record in favour of Sh Pawan Kumar Duggal. Therefore, he became the rightful owner of the

plot in question. It may be submitted here that Shri Pawan Kumar Duggal had been paying the water, sewerage, service and maintenance charges since the year 1986.

6. That Sh Pawan Kumar Duggal constructed two rooms. Thereafter, he executed two different sale deeds in respect of the said plot both measuring 284½ sq.yds. bearing Vasika No. 22763 dated 10.01.1997 and Vasika No. 22871 dated 13.01.1997 in favour of Sh. Avinash Chander son of Sh. Khushi Ram son of Sh. Mela Ram. Sh. Avinash Chander expired and as per the arrangement amongst his legal heirs, said plot was transferred by the Society in favour of his son Sh Rakesh Kumar Gupta. Sh. Rakesh Kumar Gupta further sold the plot measuring 342 sq yards to Respondents No. 4 and 5 vide registered sale deed dated 24.05.2019 and mutation in the revenue record was also sanctioned in favour of Respondents No. 4 and 5.

7. That Sh. Sumit Arora and Sh. Ankit Arora applied to the Municipal Corporation, Ludhiana along with all the documents of title for sanction of the building plan. Building plan of Respondents No 4 & 5 for a plot measuring 342 sq yard was sanctioned by Municipal Corporation, Ludhiana after verifying the documents and the site. Therefore, Respondents No 4 and 5 are raising the construction as per the building plan approved by the Municipal Corporation for residential purpose.

8. That since Respondents No. 4 & 5 are also partners of Raju Karyana Store, Petitioners are alleging that they are raising the construction for commercial purposes. Even otherwise plot of Petitioner No. 2 is far away from the plot of Petitioner No. 2 where the plot is being constructed. Petitioner No. 1 tried to convene a meeting of the residents of Aggar Nagar for raising his voice. Since there was nothing illegal in the allotment of the plot in the year 1986 and thereafter for raising of the construction by

Respondents No. 4 and 5, residents of the Colony did not join hands with the Petitioners.

On Merit:

1. Contents of Para 1 are admitted to extent the petitioners are residents of State of Punjab. However, they have no cause of action to invoke the extra-ordinary writ jurisdiction to this Hon'ble Court

2. Contents of para 2 are matter of record. Society had kept some open space for future development as no one could have perceived as to what would happen after 50 years. Now parking has also been carved out keeping in view the rise in the number of vehicles.

3. In reply to para 3, it is submitted that after developments of the plots, some land was kept as open space for future development. Open area has been described as green belt by the Petitioners. Out of open space, parks have been developed. Some land has been allotted to the Mandirs, Gurudwaras, Schools, Hospitals etc. Adjoining the Arya Samaj Mandir, plot No. 785 was allotted to Pawan Kumar Duggal way back on 23.02.1986. Petitioners are now raising the objections after 35 years of the allotment of the plot to a member of the Society, which has changed many hands.

4. In reply to para 4, it is submitted that the Society was registered in the year 1971. Thereafter, Society purchased the land, which was developed into a colony. After the allotment of the plots to the members of the Society, some open space was left for future development and also for allotment to various Institutions like School, Hospital Guest House, religious Institutions such as Jain Sathan, Raghunath Mandir, Arya Samaj Mandir, Gurdwara etc., within the said colony. Therefore it is wrong and denied that the land was meant only for the purposes of green belt and not for the

purposes of allotment for such like purposes. Plot No. 785 was also allotted out of the open space adjoining the Arya Samaj Mandir.

5. Contents of Para 5 are wrong and denied as submitted by the Petitioners. Entire vacant space was not meant for parks. Out of the open space, land was allotted for essential services, including Hospital.

6. Contents of para 6 are wrong and denied that the petitioners have now come to know that the private respondents are raising the constructions in the green belt in the shape of commercial complex. It is wrong and denied that any commercial complex is being constructed. The plot is meant for residential purposes. Respondents No. 4 and 5 have given indemnity bonds in favour of the Society that they shall construct the plot for residential purposes as per the approved building plan approved by Municipal Corporation, Ludhiana. Copies of the indemnity Bonds are attached as Annexure R-3/4 and Annexure R-3/5 to this written statement. It is wrong and denied that Respondent No. 1 has sanctioned the site plan illegally or that construction is being raised illegally.

7. In reply to para 7, it is submitted that plot was allotted to Shri Pawan Kumar Duggal as far back as on 23.02.1986. Litigation went right up to the Hon'ble Supreme Court of India and it is thereafter the sale deed was executed in the year 1995. It is not a fresh allotment as is being projected by the writ petitioners.

8. In reply to para 8, it is submitted that a detailed reply has been filed by the Society to the notice issued by petitioner no.1 and factual position was brought to his notice. As the matter pertained to the Society, there was no question of issuance of any notice to Respondents No. 1 and 2 and to decide the legal notice as alleged in the writ petition.

9. In reply to para 9, it is submitted that petitioners are misconstruing the reply given in response to the notice.

10. In reply to para 10, it is submitted that no doubt suit was filed for permanent injunction and injunction was granted when only it was proved that Pawan Kumar Duggal was legally and validly allotted the plot and the judgment and decree of the Ld. Trial Court has been upheld right up to the Supreme Court of India.

11. In reply to para 11, it is submitted that for claiming the permanent injunction, plaintiff Pawan Kumar Duggal proved his locus standi over the plot and only then injunction was granted in favour of Pawan Kumar Duggal. Plaintiff had proved that plot was allotted to Pawan Kumar Duggal being a member of the Society and because of the internal dispute between the members of the Managing Committee of the Society allotment of the Plot was cancelled without any notice or giving any opportunity of hearing. Therefore, Sh. Pawan Kumar Duggal filed the Civil Suit for restraining the society from interfering in the possession of the plaintiff over the plot and the injunction was granted by the Ld. Trial Court by finding that the allotment of the plot was made to Sh. Pawan Kumar Duggal.

12. Contents of para 12 are wrong and denied. In fact, open space was kept for future development and the allotment was made out of the open space and not out of any park. Out of the open space allotments were made to the Institutions as already submitted above. Parks were also developed in the Colony.

13. Contents of para 13 are wrong and denied. Petitioners have no cause of action to invoke the extra ordinary jurisdiction of this court. There is no collusion of any of the officials of the Respondent Society with Respondents No. 4 and 5 as alleged.

14. Contents of para 14 are wrong and denied. Basically it is the open space which was kept for the purposes of future development. Parks have already been carved out and developed. Open space, which was kept for future development can also be assumed to be the green belt.

15. Contents of Para 15 are wrong and denied. Society did not allot the plot to Pawan Kumar Duggal for any commercial purpose. Respondents No. 4 and 5 have stepped into the shoes of Shri Pawan Kumar Duggal. Petitioners have woken up after 34 years of the allotment of the plot to Shri Pawan Kumar Duggal.

16. In reply to Para 16, it is submitted that plot no. 785 was allotted as far as back on 23.02.1986 adjoining the Arya Samaj Mandir.

17-18. Contents of paras 17 and 18 are wrong and denied. Construction is being raised for residential purposes as is evident even from the indemnity bonds given by Respondents No. 4 and 5 to the Society and not for commercial purposes. It is wrong and denied that there would be congestion, traffic jams and nuisance because of construction of one plot. Plot of Petitioner No. 2 will not in any manner suffer from any such congestion, traffic jams and nuisance etc. as it is far away from the plot of Respondents Nos. 4 and 5, which is being constructed by them.

19. Contents of para 19 are wrong and denied. It amounts to contempt of court against the petitioners that a judgment against the Society of which petitioner No.2 is a member is not binding upon her.

20. In reply to Para 20, it is submitted that the photographs attached as Annexure P-6 with the writ petition are totally blank and do not make any head and tail.

21. In reply to para 21, it is submitted that petitioners have no cause of action to invoke the extra ordinary writ jurisdiction of this court.

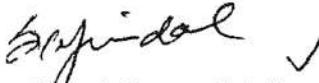
22. In reply to para 22, it is submitted that no law point is involved for kind consideration of this Hon'ble court.

23. In reply to para 23, it is submitted that petitioner have no cause of action to invoke the extra ordinary writ jurisdiction of this court.

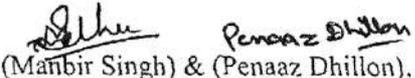
24. Contents of para 24 are denied for want of knowledge.

It is, therefore, respectfully prayed that the writ petition may kindly be dismissed.

Place: Ludhiana
Dated: 06.02.2022


(Suresh Kumar Jindal),
For Respondent No. 3 Society

Through:

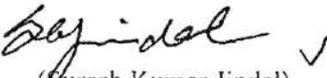

(Manbir Singh) & (Penaaz Dhillon),
Advocates,
Counsel for Respondent No. 3.

Verification:

Verified that the contents of my above affidavit are true and correct to my knowledge. No part thereof is false and nothing material has been concealed therefrom.

Verified at Chandigarh on this 6th day of February, 2022.

Place: Ludhiana
Dated: 06.02.2022


(Suresh Kumar Jindal),
For Respondent No. 3.

In the court of Sh. Sham Sunder Gupta , PCS. Sub Judge 1st
Class, Ludhiana.

C.S.No. 360 of 1986

date of Institution : 22.8.86.

Date of Decision : 23.11.94.

Mauza Ludhiana.

Gowhara No. 3777 P.94.

The Ludhiana Aggarwal Co-operative House Building
Society Lt. Aggar Nagar Ludhiana through Sh. F.C.
Kaushal office Secretary.

;; Plaintiff.

VS.

1. Municipal Corporation, Ludhiana through its
commissioner.
2. Commissioner Municipal Corporation Ludhiana,
....Defendants.

Suit for perpetual injunction restraining the
defendants from declaring alleged streets and
parks in Aggar Nagar, Ludhiana as
shown by the defendants in the map in red and
green colour as public streets and public parks
on the basis of an illegal,
incompetent, void, unauthorised and mala fide
notice under section 242 (2) of Punjab Municipal
corporation act, 1976 issued by the defendants
via their No. 137/ ordering dated, 1.3.83 and from
vesting the xx said alleged streets and parks in
defendant corporation, on the basis of oral and
documentary evidence.



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24-11-85

/2/

Present :- Sh. S.R. Wadhwa, counsel for the plaintiff.

Sh. D.P. Bhardwaj, counsel for the defendants.

Judgment

The Municipal Corporation, Ludhiana, expressed its intention to declare the streets and parks in Aggar Nagar, Ludhiana, to be public streets and parks u/s 242(2) of the Punjab Municipal Corporation Act, 1976. Alongwith the notice, declaring its intention, a map was also displayed wherein the alleged streets and parks were shown in red and green. The objections were also invited by the defendants. The plaintiff when came to know about the said letter of the defendants, to grab its private property, failed the objections against the said intention of the defendants, on 12.3.86. It was stated that the objection filed by the plaintiff, were not decided. On the other hand, the officials of the defendants, started threatening the plaintiff that the objections filed by its, had been rejected by the defendants. The said notice has been challenged as illegal void and inoperative against the rights of the plaintiff, on the grounds that the notice has been issued by any one incompetent person that no consent was given by the majority of the owners of the locality that without deciding the objection, filed by the plaintiff Society, the proposed action could not be taken and that no expenditure was incurred by the defendants in maintaining the



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S. R. WADHWA
(15-3-86)

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public streets and lying the parks. The defendants were may a time asked to desist from their illegal designs, but to no avail. Ultimately, the present suit for permanent injunction was filed.

2. The defendants are summoned to appear and answer the claim of the plaintiff. The defendants put in appearance, and filed written statement, wherein they took up various objections, and contested the suit. It was denied that the plaintiff is a corporate body, registered under the cooperative Societies Act. It was admitted that vide drawing No. 37 dated 1.3.86, the defendants invited objections. It was also admitted as correct

that the plaintiff filed objections, to the said notice.

It was further stated that the objections shall be decided after affording due opportunity to the plaintiff. It was further stated that the streets shall be declared as public streets in accordance with the provisions of law. It was further stated that the notice is legal and valid. It was denied that the officials of the defendants, threatened to declare the streets as public streets in Aggar Nagar, without disposing of the objections.

3. On the pleadings of the parties the following issue was struck vide order dated 16.1.87

1. Whether the plaintiff is entitled to the injunction as prayed for? OPP.

2. Relief.

4. The parties led oral as well as documentary

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evidence in support of their case, I have heard the counsel for the plaintiff and the law officer, on behalf of the defendants and have gone through record of the case carefully, My findings on the above issue are as under :-

Issue No. 1.

5. The onus to prove this issue, rested on the plaintiff. The question for determination, under this issue, is, as to whether, the plaintiff is entitled to the injunction prayed for. There is, no dispute, between the parties, that a notice declaring its intention to declare the streets as public streets was issued by defendant No. 1. It is also proved from the evidence on record, that the plaintiff filed objections, to the notice. Those objections have not so far been disposed of by the defendants. It is, however, evidence from the statement of F.C. Kaushal, Secretary of the plaintiff Society, that without disposing of those objections, the officials of the defendants, threatened to declare the streets as public streets and parks as public parks. Amar Singh (PJ2) also made a similar statement. As per the provisions of law, the Municipal Corporation, is required to invite objections from the majority of residents of locality, before declaring a street as a public street. No doubt, the objections were invited, but the same have not been disposed

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of so far. The cause of action accrued to the plaintiff, as the officials of the defendants threatened to declare the streets as public streets and parks as public parks without deciding objections and without following the due procedure of law. The Municipal Corporation in my opinion, cannot declare the streets as public streets and parks as public parks, without ~~complying~~ following the due procedure, laid down under the provisions of law. Any action, on the part of the defendants, to declare the streets as public streets and parks as public parks, in violation of the provisions of the Municipal Corporation, Act, 1976, can be said to be illegal. The plaintiff could certainly seek protection of its legal rights by way of injunction against the said illegal and threatened action of the defendants.

The plaintiff is, therefore, entitled to the injunction, except in due course of law. This issue is found and decided in favour of the plaintiff and against the defendants, as indicated above.



Issue No. 2 Relief.

6. In view of my findings on the above issues, the suit of the plaintiff, for permanent injunction, restraining the defendants, from declaring the streets, and parks as public streets and public parks, as fully described in the head note of the plaint, except after

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disposing of the objections, filed by the plaintiff, to the notice dated 1.9.86 in accordance with the provisions of law and except by following the procedure laid down, under the provisions of the Municipal corporation Act, 1976, is decreed with costs.

If any order, adverse to the plaintiff, is passed by the defendants, it shall be at liberty to challenge the same in the court of law. Decree sheet be prepared and the file be consigned.

Announced in open court.
23.11.94.

Sd/-
Sub Judge 1st Class,
Ludhiana.



verified to be true copy
Brd 4-4-95
Examiner,
Copying Branch Office of
Senior Sub Judge, Ludhiana
appointed under section 7
of Public Finance Act 1977



6-4-95
Brd
6485

- a) Number of the application on Register 3618
- b) The date of presentation of the application 24.11.94
- c) The number of pages copied 6
- d) Fees Due
 - 1. Copying Fee 12/-
 - 2. Writout Fee
 - 3. Search Fee
- e) Name of the copyist Chauri H
- f) Date on which the copy was prepared the copyist 4-4-95

Brd
4-4-95

Brd

True Copy
Delhi
Adv

Value of suit for purposes of jurisdictions Rs. 130/-

Value of suit for purposes of court fees Rs. 130/-

amount of court fee affixed on the plaintiffs. 13/-

Decree in suit for perpetual injunction.

In the court of Shri Sham Sunder Gupta PCS, S.J.I.C. Ludhiana.

Civil suit No. 360 of 28.8.88.

The Ludhiana Aggarwals Co-operative

House Building Society Lt. Aggar,

Ludhiana, through Sh. Sh. F.C. Kaushal, Office Secretary.

... Plaintiff.

Versus.

1. Municipal Corporation,
Ludhiana through its commissioner.
2. Commissioner,
Municipal Corporation,
Ludhiana.

suit for perpetual injunction restraining the defendants from declaring alleged streets and parks in Aggar Nagar, Ludhiana as shown by the defendants in the map in red and green ~~colour~~ colour as public streets and public parks on the basis of an illegal incompetent, void, unauthorised and malafide notice under section 242(2) of Punjab Municipal Corporation Act, 1976 issued by the defendants vide their No. 137/Drawing Dated 1.9.96 and from

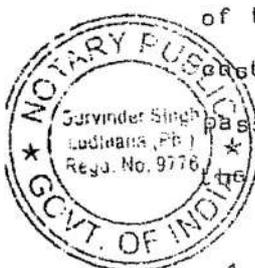


/2/

vesting the said alleged streets and parks in defendant corporation, on the basis of oral and documentary evidence.

Plaintf presented on 28.8.86.

This suit coming on this day for final disposal before me (Shri Sham Sunder Gupta, PCS, S, JIC, Ludhiana) in the presence of Shri S.R. Jadhava Advocate counsel for the plaintiff and Shri D.P. Bhardwaj law officer for the defendants it is ordered that the suit of the plaintiff, for permanent injunction, restraining the defendants, from declared the streets and parks as public streets and and public parks, as fully described in the head note of the plaint, except after disposing of the objections filed by the plaintiff, to the notice dated 1.8.86, in accordance with the provisions of law, and except by following the procedure laid down, under the provision of the Municipal corporation Act, 1976, in decreed with cost, If any order adverse to the plaintiff, is passed by the defendants, if shall be at liberty to challenge the same in the court of law.



Memo of Costs.		Defendants.
	Plaintiff.	Defendants.
1. Stamp of plaint.	13-00	0-00
2. Stamp of power	3.75	1-25
3. Stamp for exhibits.	0-00	0-00
4. Substance for witnesses.	0-00	0-00
5. Processes fee.	2-50	0-00
6. Pleader's fee. 'x'	0-00	0-00
7. Commissioner's fee.	0-00	0-00
8. Misc.	5-25	1-25
Total	24-50	2-50

Contd.

33
0-11-45

/3/

Note :- 'x' counsel fee not taxed for want of prescribed fee form.

Given under my hand and the seal of the court on this 23rd day of Nov. 1994.



Sd/-
Sub Judge: 1st Class,
Ludhiana.

certified to be true copy

4-4-95
Notary Public,
Ludhiana
Regd. No. 9776



- a) The number of the application in Register: 3648
- b) The date of presentation of the application: 24-11-94.
- c) The number of pages copied: 3.
- d) Fees Due:
 - 1. Copying Fee: 6/-
 - 2. Urgent Fee: 1/-
 - 3. Search Fee: 1/-
- e) Date in which the copy was prepared: 4-4-95
- f) By whom prepared: B.S.

6-4-95
B.S.

Verified to be true copy

Notary Public, Ludhiana

22 AUG 2013

True Copy
B.S.
Adv

In the Court of Shri K. K. Kataria Addl. District Judge, Ludhiana.
CA.NO. 35/58 of 16.5.92/6.5.93
Date of Decision 19.10.93

Number & date of the original Suit.	No. 46/223-A of 23.1.90
Date of decision in first Court	3.4.92
Date of institution of appeal.	15.5.92

Value of suit & appeal for purpose of Jurisdiction. Rs. 130/-

Value of appeal for purpose of Court fee. Rs, 130/-

Amount Court fee on appeal. Rs. 13/-

The Ludhiana Aggarwala, Cooperative House Building Society Ltd. Aggar
Nagar, Ludhiana through Sh. F.C. Kaushal Secretary the Society.

Appellant.

Versus

Pawan Kumar Duggal s/o Shri Prem Nath Duggal C/O M/s Kamal Agencies
near Congress Office, G.T. Road, Ludhiana.

Respondent.

Appeal filed by the Ludhiana Aggarwala Cooperative House Building
Society through Sh. S.R. Wadehra Adv.

Appeal against the Judgment and decree of Mrs. Sudarshan Modi Senior Sub
Judge, Ludhiana dated 3.4.92

Claim in appeal:- To accept the appeal and to dismiss the suit of the plaintiff
with costs throughout.

suit for permanent injunction restraining the defendant from interfering in
the possession or from dispossessing the Plaintiff forcibly and illegally from
plot No. 785 measuring 569 S. yards situated in Part B Aggar Nagar
Ludhiana more clearly shown in the site plan and bounded as under: -

North:- Shops of defendant society on Ferozepur Road.
South:- Road 30'
East:- Open Space
West:- Arya Smaj Mandir either by himself or through its agents, servants, employees, committee member and members on the basis of oral and documentary evidence.

Present- Shri S. R. Wadhera Advocate counsel for the appellant;
Shri Vijay B. Verma, Advocate for the respondent.

Judgment

This appeal has been preferred by Ludhiana Aggarwala Cooperative House Building Society Ltd. Aggar Nagar, Ludhiana (hereinafter referred to as the Society) through Shri F.C. Kaushal Secretary of the Society against Pawan Kumar Duggal Challenging the judgment and decree dated 3.4.1992 passed by Mrs. Sudarshan Modi, the then senior sub Judge, Ludhiana vide which the suit of the plaintiff respondent was decreed, leaving the parties to bear their own costs.

2. That respondent plaintiff Pawan Kumar Duggal filed a suit against the Society for the grant of permanent injunction restraining the defendant from interfering in the possession or from dispossessing the plaintiff forcibly; illegally from plot No. 785 measuring 569 sq. Yards situated in part B Aggar Nagar Ludhiana as duly detailed in the heading of the Plaint.

3. Briefly stated the version of the plaintiff is that he is a member of the defendant society which is a body corporate registered under the Punjab Cooperative Societies Act 1961. It is further pleaded that on an application moved by the plaintiff for the allotment of a plot, the Managing Committee of the defendant Society deputed Shri Amar Singh Sectional

Officer of the Society to report about some suitable site, who submitted his report on 21.02.1986 and recommended a suitable site for allotment to the plaintiff. The plaintiff was enrolled as member of the Society, vide allotment No. 15 and allotted the plot No. 785 measuring 569 sq. Yards, the boundaries of which are fully described in the heading of the plaint. The allotment of plot was made to the plaintiff at the rate of Rs. 200/- per sq. Yard i.e. for a total consideration of Rs. 1,13,800/- out of which the plaintiff had already paid a sum of Rs. 50, 000/- vide three separate receipts and the remaining sale consideration was agreed to be paid by the plaintiff in instalments. It is further pleaded that after the part payment of sale consideration, the possession of the said plot was handed over by the Society to the plaintiff through Amar Singh Sectional Officer on 2.5.1986.

4. It is alleged that vide its letter dated 10.1.1989 the Society informed the plaintiff that the allotment of the plot had been cancelled; that the said letter was issued by Kuldip Singh Ghai, the so called President of the Society. The plaintiff challenged the cancellation letter dated 10.01.1989 on several grounds alleging inter alia that the same is wrong, illegal, mala fide, without jurisdiction as the said order had been passed without issuing any notice and without affording any opportunity to be plaintiff of being heard and that Shri Kuldip Singh Ghai was not competent to cancel the allotment in question and to issue letter dated 10.1.1989, in view of the order passed by Shri Bhagwan Singh, Sub Judge Ist Class, Ludhiana in a Civil Suit titled as Ludhiana Aggarwala Cooperative House Building Society V. Ved Parkash and others, wherein the alleged committee members were specifically restrained from acting as office bearers of the society. It is also pleaded that the allotment had been made against part payment of sale consideration and possession had also been delivered and that there was no

provision, whatsoever to revoke the said allotment. The defendant society is stopped by its acts and conduct from cancelling the allotment. It is alleged that the employees of the society threatened the plaintiff that they would take forcible possession of the said plot without any legal right. The plaintiff then served the defendant society a notice under section 79 of the Punjab Cooperative Societies Act.

5. That defendant society contested the claim of the plaintiff and pleaded inter alia that the suit is not maintainable in the present form and jurisdiction of the civil court is barred under section 82 of the Punjab Cooperative Societies Act. On merits, the defendant- Society admitted the plaintiff to be a member of the Society but alleged that no valid allotment was made to the plaintiff and that the plot which was allotted to the plaintiff was a part of green belt. Inquiry was conducted by Assistant Registrar Cooperative Societies (ARCS Jagraon on the basis of a complaint made by one of the members of the defendant society to the Deputy Commissioner, who appointed Shri Amarjit Singh Gill, ARCS as an inquiry officer. The Inquiry officer found that the allotment was made illegally by the Managing Committee out of the green belt. The said report was laid before the General House which is a supreme body who accepted the report and cancelled the allotment of all those plots which carved out of the green belt with mala-fide intention. It is also pleaded that the possession was never delivered to the plaintiff as no such plot existed with the boundaries as disclosed by the plaintiff.

6. The trial court framed the following issues which arose out of the pleadings of the parties:-

1. Whether the plaintiff is entitled for permanent injunction? OPP.

A. Whether the suit is not maintainable as jurisdiction of this court is barred u/s 82 of the Punjab Cooperative Societies Act? OPD

2. Relief.

7. After the parties had led their oral as well as documentary evidence, the suit of the plaintiff was decreed by the then learned senior sub Judge, Ludhiana Vide Judgment and decree dated 3.4.1992.

8. The defendant society has challenged the impugned judgment and decree dated 3.4.1992 as set out in the grounds of appeal. Trial court records have been requisitioned and I have heard the arguments advanced by the learned counsel for the parties at length and have carefully perused the records of this case with their assistance.

9. Shri S. R. Wadhera, Advocate, learned counsel for the appellant has contended that this is a suit for permanent injunction and that the relief of injunction can only be granted to a person, who comes to the court with clean hands. He has further contended that the plaintiff has misstated the facts and is not entitled to the suitable relief of injunction. His next argument is that site in dispute is a part of green belt and nobody had any power or authority or jurisdiction to allow the same to anybody. He has further contended that the site in dispute is an open space and the possession of an open space goes with title which vests and is proved to be with the society and that the possession of the site in dispute was never delivered to the plaintiff. It is further contended that the plot is being maintained by the defendant society (now appellant) and the same is meant to be sued by the members of the defendant Society as a part and that in fact, no such plot exists with the boundaries given in the plaint.

10. Learned counsel for the appellant has further contended that when there is no valid allotment of the site in question, in favour of the plaintiff- respondent, there is no question of any right, interest or title with the plaintiff. That the amount if any deposited by the plaintiff is lying in the suspense account and that the plots which had been carved out of the green belt malafidely had been cancelled by the General House. The decision of the General House which is the Supreme body of the society is not open to question. He has therefore, contended that all these facts and circumstances have not been taken into consideration by he learned trial court and that the evidence adduced by the defendant society has not been appreciated properly. He has, the relief of permanent injunction and that the finding of the learned trial court on issue No.1 is required to be reversed.

11. I have carefully perused the document proved on the file and I find that the plaintiff had deposited a sum of Rs. 25, 000/- with the defendant Society on 2.5.1986. Copy of the receipt is Ex. P1. He also deposited Rs. 15,000/- on 2.5.1986. copy of the receipt is Ex. P.2. In both these receipts, it is the price of plot No. 785 measuring 569 sq. Yards at the rate of Rs. 200/- per sq. Yards. The plaintiff also deposited another sum of Rs. 10,000/- vide receipt dated 30.06.1987 which is Ex. P 3. Ex P4 is the site plan of plot No. 785 measuring 569 sq. Yards of Shri Pawan Kumar Duggal plaintiff. It was prepared by Shri Amar Singh sectional Officer on 21.02.1986 and it is counter signed by Smt. Harvinder Kaur as Administrator of the defendant society. Ex P5 is the endorsement dated 2.5.1986 made by Amar Singh Sectional Officer of the defendant- Society on the site plan Ex. P4 which goes to show that physical possession had been given to Shri Pawan Kumar Duggal at site as per copy and Ex. P6 is the photo copy of the allotment certificate dated 2.5.1986 signed by Smt.

Harvinder Kaur Administrator of the defendant society. Shri Pawan Kumar Duggal (PW 1) proved the documents mentioned above and reiterated his version as contained the plaint. The plaintiff has categorically stated that He has been in possession of the suit property, on the basis of allotment certificate against payment of part sale consideration and that he was required to pay the balance sale consideration in instalments.

12. Shri Amar Singh Sectional officer of the defendant Society appeared as DW 3 and admitted that the writing Ex. P5 is in his hand and bears his signature. He admitted that the words "physical possession has been given to Shri Pawan Kumar Duggal, site as per copy." Is in his handwriting but he however, stated that the actual possession was not delivered to the plaintiff at the site rather, it was only on paper, which was done at the instance of Amrit Lal Saggar who was President of the Society. According to him, plot allotted to the plaintiff was part of the green belt and it was being used as part and that the possession of the said plot is with the society. When he was asked whether he had brought any site plan or lay out plan of the colony of the society to show that site in dispute was a part of the green belt, he replied in the negative. However, he stated that adjoining to the disputed property, there is constructed building of Arya Smaj Mandir and alleged that it was also part of green belt. He further admitted that the society had constructed 21 shops and the area where the shops were constructed is a part of the green belt. He also admitted it to be correct that the society had allotted land to Raghunath Hospital, Mandir, Gurdwara, Jain Asthan, Arya Samaj Mandir etc. And those institutions have raised constructions on the sites allotted to them. According to him, the Society does not have any sanctioned lay out plan from the Municipal Corporation, Ludhiana wherein the green belt had been shown. He also failed to produce

any changed lay out plan as stated by him, rather he admitted that the said lay out plan too was not sanctioned by any competent authority. He admitted the site plan Ex. P 4 and the endorsement Ex. P 5 made by him to be correct as per existing position at the spot. He also admitted that Shri Amrit Lal was not the President of the Society at the time of allotment of the plot to the plaintiff and the Society was being run by Smt. Harvinder Kaur as administrator of the society and she also signed the documents Ex. P 4 and P 5.

13. Smt. Harvinder kaur Administrator appeared as DW 1 and she also admitted her signature on the documents Ex. P 4 and P 5 and also identified the signature of Amar Singh Sectional officer of the Society. She also admitted her signature on the allotment certificate Ex. P 6 and stated that Assistant Registrar Cooperative Societies Ludhiana had granted permission and had allowed the resolution of allotment passed by her in favour of the plaintiff.

14. On careful consideration of the oral as well as documentary evidence discussed above, i am of the opinion that the plaintiff is admittedly the member of the defendant- Society and plot No. 785 measuring 569 sq. Yards was allotted to him at the rate of Rs. 200/- per sq. Yards for a total consideration of Rs. 1138.00/-. The allotment certificate was admittedly, signed by Smt. Harvinder Kaur administrator of the Society who was responsible for proper functioning of the society Moreover, admittedly, Shri Amrit Lal was not the president of the Society at the time of allotment of the plot. The site plan prepared by Shri Amar Singh Sectional Officer of the Society was also countersigned by the Administrator and the physical possession of the plot in question was delivered to the plaintiff as per endorsement to Ex. P 5. In view of these documents, it cannot be said that it

was only a paper transaction or that the actual possession was not delivered to the plaintiff.

15. Learned counsel for the appellant has referred to the site plan Ex. P 4 and has contended that the boundaries of the plot in dispute as mentioned in the heading of the plaint do not tally with the site plan. On careful perusal of the same, I find that the boundaries as mentioned in the heading of the plaint do tally with the actual position shown in the site plan Ex. P 4 except that there is some vacant space on the western side of the plot in dispute adjoining Arya Samaj Mandir, whereas the plaintiff has shown the existence of the Arya Samaj Mandir on the western side of the plot. In my opinion, no discredit can be given to the plaintiff for not mentioning the vacant site lying in between the plot in dispute and the Arya Samaj Mandir. In my opinion, the boundaries fully tally and that the plot in dispute had been duly depicted on the site plan. Ex. P 4 wherein the length and breadth of the plot in dispute had also been mentioned. Moreover, this site plan was prepared by Shri Amar Singh Sectional officer of the defendant Society and is also countersigned by Smt. Harbinder Kaur Administrator of the Society.

16. Learned counsel for the respondent/plaintiff has cited an authority titled chairman Jalandhar Improvement Trust Vs. Inder Singh reported in All India Land Law Reporter 580, Vol. 18. In that case, a plot had been allotted by the Improvement Trust but it was cancelled on the ground of it having been allotted wrongly. The cancellation order was passed without giving any opportunity or notice to the allottee. The order was set aside with an observation that it will be open to Improvement Trust to take the proceedings a fresh and pass necessary orders after giving opportunity of hearing.

17. I have perused the cancellation order dated 10.1.1989 Ex. P 10 issued by Shri Kuldeip Singh Ghai in his capacity as President of the defendant Society, wherein it is mentioned that the plaintiff was admitted as a member of the society by the Administrator on 28.3.1986 and a plot No. 785 measuring 569 sq. Yards in Aggar Nagar Ludhiana had been allotted to him out of green belt. It is further mentioned that the said matter came up for consideration before the General body meeting held on 10.07.1988 and it was resolved that all the plots land allotted to various persons /institutions, out of the land earmarked for green belt and for other common purposes had been cancelled. The plaintiff was accordingly, informed that his allotment of plot No. 785 had been cancelled and a sum of Rs. 50, 000/- deposited by him had been transferred to suspense account. The plaintiff was advised to withdraw the said amount on any working day without any interest. On the consideration of the matter in the meeting held on 10.07.1988 and the letter Ex. P 10 is dated 10.01.1989. During this period, no notice is shown to have been issued to the plaintiff nor any opportunity of being heard was afforded to the plaintiff. In view of the admitted position that no opportunity of being heard was provided to the plaintiff before taking action by the defendant Society, the cancellation order Ex. P 10 cannot be up held under any provisions of law.

19. Learned counsel for the plaintiff/respondent has also cited another authority rendered by a Division Bench of our own High Court titled as S.R. Dass petitioner Vs. State of Haryana and others reported in 1988 PLJ 123, wherein it was held as under:-

“Cancellation of allotment of Plots from discretionary quota- Blanket order of cancellation. Nothing but a Farman-a-Shahi-order of cancellation liable to be struck

down as ; (i) Government did not consider that plots were in trust with it and in most causes either it did not apply its mind or acted arbitrarily, in order to oblige some influential persons, got carved out plots out of green belts or areas reserved for public purposes, zoning plans changed and green belts mutilated.

(iv) HUDA a statutory body did not apply its mind at all before issuing letter of cancellation.

(v) Principle of audi alteram partem violated,

No show cause notice and opportunity to explain before cancellation, post decisional hearing would before cancellation, post decisional hearing would not meet ends of justice.”

20. In view of the law laid down in the aforesaid authority, it can be safely concluded that plot No. 785 measuring 569 sq. Yards was allotted by the Administrator of the defendant Society, who had a right to exercise all the powers and functions of the Managing Committee of the Society. In her cross-examination, Smt. Harvinder Kaur Administrator of the Defendant Society (DW1) admitted that the allotment certificate Ex. P6 bears her signatures, she also admitted it to be correct that Assistant Registrar Cooperative Society Ludhiana had granted permission and allowed the resolution of allotment passed by her in favour of the plaintiff. In these circumstances, it cannot be said that the allotment of the plot was made wrongly in favour of the plaintiff. The allotment made by Administrator of the Society was quite Valid and it could not be cancelled without resorting to due process of law and without affording an opportunity of being hearing to the plaintiff. Accordingly, it is held that the plaintiff/ respondent is

entitled to the grant of permanent injunction as prayed for. Hence the finding returned by the learned trial court on issue No.1 is, hereby affirmed.

21. The next contention of the learned counsel for the appellant is that jurisdiction of the Civil Court is barred under section 82 of the Punjab Cooperative Societies Act and as such the suit is not maintainable. As against this, learned counsel for the respondent/plaintiff has cited Bhupinder Singh V. The Primary L and Mortgage Bank, Hoshiarpur and others, reported in 1989 (1) LLR Vol. 21 page 444, wherein it was held as under:-

“(B) Punjab Cooperative Societies Act, 1961, Section 82-Bar on jurisdiction of Civil Court- Statutory duty cast on an authority- Statutory duty not discharged in accordance with law-Civil Court would have jurisdiction to entertain a suit and adjudicate upon the subject matter of controversy Procedure indicated in a statute not complied with Bar of jurisdiction would not be attracted.”

22. In view of the law laid down in the aforesaid authority and in view of the aforesaid discussion, it has been proved that the plaintiff is in lawful possession of the plot in dispute which was allotted to him by the Society being a member of the defendant Society and that the cancellation of the plot in question has been held to be illegal. In case a statutory body fails to adopt the procedure provided under the law and acts beyond jurisdiction, the Jurisdiction of the Civil Court is attracted and the provisions of section 82 of the Punjab Cooperative Societies Act 1961 are not applicable to the case in hand. Accordingly the finding returned by the learned trial court on issue No. 1-A is, hereby, affirmed.

23. In view of the aforesaid discussion, I do not find any merit in this appeal and the same is, hereby, dismissed with costs, counsel fee is assessed at Rs. 1000/-.

Pronounced.

19.10.1993

Addl. District Judge,
Ludhiana.

Sd/- K.K.Katar,

Value of the appeal for the purpose of Court fee and Jurisdiction.....

Rs. 130/-

Value of court fee affixed on the appeal.

Rs. 130/-

(Decree in appeal under order XII Rule 35 C.P.C)

In the Court of Shri K.K. Kataria Addl. District Judge, Ludhiana

The Ludhiana Aggarwala, Cooperative House Building Society Ltd. Aggar
Nagar, Ludhiana through Sh. F.C. Kaushal Secretary the Society.

Appellant.

Versus

Pawan Ku mar Duggal s/o shri Prem Nath Duggal C/O M/s Kamal Agencies
near Congress Office, G.T. Road, Ludhiana.

Respondent

Civil Appeal No. 35/58 of 1992-93 Appeal from
the Judgment and decree of Shrimati Sudarshan
Modi PCS Senior Sub Judge Ludhiana dated
3.4.1992 in civil suit No. 46/223 of 1990-1991.

Suit for:-

Suit for permanent injunction restraining the defendant from
interfering in the possession or from dispossessing the plaintiff
forcibly and illegally from Plot No. 785 measuring 569 sq.
Yards situated in Part B Aggar Nagar Ludhiana more clearly
shown in the site plan and bounded as under.

North:- Shops of defendant society on Ferozepur Road

South:- Road 30'

East:- Open Space

West.- Arya Smaj Mandir either by himself or through its agents, servants, employees, committee member and members on the basis of oral and documentary evidence.

Memorandum of appeal.

Ldh. AggarwalAppellant.

Versus

Pawan Kumar Duggal Respondent

The above named appellant appeal to the court of Addl. District Judge Ludhiana from the Judgement and decree dated 3.4.1992 passed by Mrs. Sudarshan Modi PCS Senior Sub Judge Ludhiana for the reasons as given in the grounds of appeal.

1. The learned trial court erred in clubbing issue No.1 and 1-A together, which has resulted in serious miscarriage of justice.

2. The decision of the trial court of issues No. 1 and 1-A is erroneous for the under mentioned reasons

(a) Injunction is a relief in equity and cannot be granted to the plaintiff, who has come to the court with mis-statement of facts.

(b) The site in dispute is a part of the Green Belt and nobody has any power, authority or jurisdiction to allot the same.

(c) The finding that the document Ext. D1 had been created later, is conjectural, against facts and is bad on the face of it.

(d) No possession of the property had been given to the plaintiff.

(e) The possession of plaintiff over the property has not been proved. The possession of an open site goes with title, which vests and is proved to be with the society.

(f) The statement of the witnesses of the defendant have not been properly appreciated or construed.

(g) The fact that no such plot with the boundaries given, exists at the site has not been taken in the consideration. The park is being maintained by the defendant's society and the same is meant to be used by the members of defendant society as a park.

(h) To succeed the plaintiff had to prove that there was a valid allotment in his favour. If there was no valid allotment the question of any right interest or title of the plaintiff could never arise. This vital aspect of the plaintiff could never arise. This vital aspect of the case has been completely lost sight of.

(i) the fact that the alleged amount deposited by the plaintiff and lying in the suspense account has not been taken into consideration.

(j) The plots, which had been carved out of the Green Belt mala-fidely, had been cancelled by the General House. His decision of the General House, which is the supreme Body of the society is not open to the question and is binding. This aspect of the case has not been taken into consideration.

(k) The notices of the General Body Meeting were issued to all the members of the Society, including the plaintiff along with Agenda of the meeting. One of the items of the Agenda was to consider the enquiry report on the basis of which the plots were shown to have been illegally carved out of the green belt and the cancellation thereof. The plaintiff intentionally did not attend this meeting and this aspect of the case has been completely ignored.

(l) The mala-fide suit filed by Shri Amrjit Lal Calling himself to be the President of the Society was not authorised by the Society and

anything stated therein, does not bind the society. This aspect of the case has been ignored altogether.

(m) The learned Sub Judge failed to take into consideration that there was no allotable plot existing after 1984.

(n) the general body exercising its powers under section 23 of the Punjab Cooperative Societies Act had cancelled the allotments, illegally made, by the Administrator of the Managing Committee.

(o) The jurisdiction of the civil Court was completely barred. The authorities cited has no application to the facts of the case. The dispute, if any, regarding validity and the allotment of the Green Belt and the subsequently cancellation is certainly a matter covered under Section 55 of the Punjab cooperative Society Act.

(p) The evidence produced by the defendant has completely ignored.

(q) The evidence of the plaintiff was discrepant and untrustworthy.

(r) The decision on these issues is based on weak conjectures and on inadmissible evidence.

(s) the trial court has made out entirely a new case for the plaintiff.

(t) No injunction can be granted as the possession of the plaintiff has not been proved.

(u) The trial court erred in framing correct issues, which has resulted in miscarriage of justice.

(v) The trial court has not taken into consideration the fact that the plaintiff was not having the plot of a part of the green belt. There was no other evidence led by the plaintiff except the bare statement of the plaintiff. The allotment made by Smt. Harbinder kaur was subject to the approval of Assistant Registrar Cooperative Societies.

(w) The fact that the Assistant Registrar was also colluding with shri Amrit Lal and the plaintiff has not been taken into consideration.

(x) The statement of Shri R.C. Kaushal DW 2 has been ignored similarly the statement of Amar Singh DW 3 has not been taken into consideration.

(y) The decision of the General Body was upheld by the Registrar.

(z) The letter Ext. D1 is a genuine letter and has been completely ignored.

3. The decision of the trial court is against law and facts on the file.

4. The appellant has not been afforded full opportunity to lead his evidence.

5. the learned trial court erred in not deciding the application for inspection and appointment of local Commissioner filed by the appellants. The inspection would have clearly shown the false and vague nature of the evidence of the plaintiff and would have clearly shown that the property is a party of the green belt and is in actual possession of the appellant.

6. The property is in actual possession of the appellant. The plaintiff is not in possession of the property and as such no injunction could be passed.

This appeal is coming for hearing on the 19th day of October, 1993 before me (K.K. Kataria Addl. District Judge Ludhiana) in the presence of Shri S.P. Wadehra Advocate counsel for the appealant and Shri Vijay Bharat Verma Advocate counsel for the respondent. It is ordered that the appeal is without merits and the same is hereby dismissed with costs.

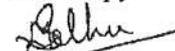
Memo of costs.

Appellant	Respondent	
1. Stamp for appeal	13-00	0-00
2. Stamp for Power	2-25	1-25
3. Service of Process	3-00	0-00
4. Misc.	6-50	0-00
5. Counsel fee.	<u>1000-00</u>	<u>1000-00</u>
<u>Total</u>	<u>Rs. 1023-75p.</u>	<u>1001-25p.</u>

Given under my hand and seal of the court this 19th day of
October, 1993.

Sd/- K.K.Katar,
Addl. District Judge,
Ludhiana.

True Copy


Advocate

In the High court of Punjab and Haryana at Chandigarh :

Regular Second Appeal No. 401 of 1994

The Ludhiana Aggarwala, Cooperative House Building Society Ltd. Aggar
Nagar, Ludhiana through Sh. Govind Bansal its President.

Appellant.

Versus

Pawan Kumar Duggal s/o Shri Prem Nath Duggal C/O M/s Kamal Agencies
near Congress Office, G.T. Road, Ludhiana.

Respondent.

Regular Second Appeal from the orders of Shri K.K. Kataria
Addl. District Judge, Ludhiana, dated 19.10.1993, affirming that of Mis.
Sudershan Modi, PCS, Senior Sub Judge, Ludhiana, dated 13.4.1992,
decreeing the suit of the plaintiff and leaving the parties to bear their own
costs.

Claim:- Suit for permanent injunction restraining the defendant
from interfering in the possession of from dispossessing the plaintiff forcibly
and illegally from plot No. 785, measuring 569/ sq. Yard situated in par 8
Aagar Nagar, Ludhiana more Clearly shown in the site plan and bounded as
under:-

North:- Shops of defendant society on Ferozepur Road.

South:- Road 30'

East:- Open Space

West:- Arya Smaj Mandir either by himself or through its agents,
servants, employees, committee member and members on the basis of oral
and documentary evidence.

R.S.A. No. 401 of 1994

Of oral and documentary evidence.

Claim in Appeal:- For the reversal of the orders Both the Courts below.

Civil Misc No. 668-C-1994

Application under Order 41, Rules 5 read with Section 151 CPC praying that during the pendency of the appeal execution of the impugned judgment and decree be kindly stay in the interest of justice.

Dated the 19th July., 1994

Present:-

The Hon'ble Mr. Justice R.S. Mongia

For the Petitioner / appellant- Mr. D.V. Sharma, Advocate.

For the Respondent:- Mr. Stainder Khanna, Advocate.

Order

After hearing the learned counsel for the parties, do not find any merit in this appeal. Consequently, the same is dismissed.

19.7.1994

Sd/- R.S. Mongia
Judge

True Copy



Advocate

39



ONE HUNDRED RUPES

INDIA NON JUDICIAL

ਪੰਜਾਬ ਪੰਜਾਬ PUNJAB

Handwritten signature and date: 29/07/2021

INDEMNITY BOND

315 AH 583356
28.7.2021

This INDEMNITY BOND made at Ludhiana on the day of Thursday, 29/7/2021 by, Sh. Sumit Arora (Aadhar No-2952-8755-4103) Age 41 years. S/o. Sh. Ramesh Kumar Arora R/o: H.No.HJ-171, Back side westend mall, BRS Nagar, Ludhiana. (Here in after called the Principal Party/Parties which expression shall unless repugnant to the context including his heirs, executors, administrators, successors and assigns) In favor of the Ludhiana Aggarwala Co. operative House Building Society Ltd., Aggar Nagar, Ludhiana (here in after called the society).

1. That the executant of this Indemnify Bond do hereby undertake that I am member and share holder of the Ludhiana Aggarwala Co. operative House Building Society Ltd., Aggar Nagar, Ludhiana, vide my membership no. 2605 and co-owner of plot no-785. Sector-B, Aggar Nagar, Ludhiana as per registered deed of the said plot vide vasika No document No.2019-20/10/1/3413 dated. 24-5-2019.
2. That I am also tenant of shops no-10,11,13,14,22,23.of the Ludhiana Aggarwala Co. operative House Building Society Ltd., Aggar Nagar, Ludhiana, back side plot no.785, Sector-B, Aggar Nagar, Ludhiana and paying the rent to the society regularly.
3. That I have got approved map plans of my residential House from Municipal Corporation Ludhiana of the Plot mentioned out serial No.1 and a Photo copy of the approved Map plan is given in the society office. Contd..page.2

Sumit Arora



...2.....

- 4. That now I am going to construct a residential building on the above said part of plot no-785. Sector-B, Aggar Nagar, Ludhiana for my personal use.
- 5. That I have been given an undertaking that the building will not be used for any commercial purposes. It is a residential building in housing colony not to be used for any other activities such as godown or show room etc.
- 6. That I will not use the above said plot as shops, showrooms, offices and godowns, etc.
- 7. That I also undertake that I will not break the walls between part of plot no-785 and shops no-10,11,12,13,14,,15,22 & 23 if found guilty suitable necessary action can be initiated .
- 8. That if I found guilty in breaking any above said clause, necessary legal action can be taken by the Ludhiana Aggarwala Co. operative House Building Society Ltd., Aggar Nagar, Ludhiana against me. .

IN WITNESS WHEREOF the parties hereby have set their respective hands hereunder the day, the month and the year first above written in the presence of:

WITNESSES:

[Handwritten signatures]

Certified that the affidavit SPA/GPA has been readover & explained to the deponent/ executant who seemed correctly to understand the same at the time making above oath of

EXECUTANT.....

[Handwritten signature]



Attested as Identified

[Handwritten signature]
Notary Public
Dist Courts (L.D.H.)

29 JUL 2027

[Handwritten signatures]
True Copy
Belhar
Adv





ਪੰਜਾਬ ਪੰਜਾਬ PUNJAB

AL 586357

*See
Handwritten
29/07/2021*

*319
29.7.2021*

INDEMNITY BOND

This INDEMNITY BOND made at Ludhiana on the day of Thursday 29/7/2021 by, , Sh.Arkit Arora (Aadhar No-2742-6217-4718) Age 38 years. S/o. Sh. Ramesh Kumar Arora R/o. H.No.HJ-171, Back side westend mall, BRS Nagar, Ludhiana. (Here in after called the Principal Party/Parties which expression shall unless repugnant to the context including his heirs, executors, administrators, successors and assigns) In favor of the Ludhiana Aggarwala Co. operative House Building Society Ltd., Aggar Nagar, Ludhiana (here in after called the society.

1. That the executant of this Indemnify Bond do hereby undertake that I am co-owner of plot no-785. Sector-B, Aggar Nagar, Ludhiana as per registered deed of the said plot vide vasika No document No.2019-20/101/1/3413 dated. 24-5-2019.
2. That I am also tenant of shops no-11,12,13,15,22,23 of the Ludhiana Aggarwala Co. operative House Building Society Ltd., Aggar Nagar, Ludhiana, back side plot no.785, Sector-B, Aggar Nagar, Ludhiana and paying the rent to the society regularly.
3. That I have got approved map plans of my residential house from Municipal Corporation Ludhiana of the Plot mentioned out serial No.1 and a Photo copy of the approved Map plan is given in the society office. Contd..page.2



Arkit Arora

....2.....

- 4. That now I am going to construct a residential building on the above said part of plot no-785. Sector-B, Aggar Nagar, Ludhiana for my personal use.
- 5. That I have been given an undertaking that the building will not be used for any commercial purposes. It is a residential building in housing colony not to be used for any other activities such as godown or show room etc.
- 6. That I will not use the above said plot as shops, showrooms, offices and godowns, etc.
- 7. That I also undertake that I will not break the walls between part of plot no-785 and shops no-10,11,12,13,14,,15,22 & 23 if found guilty suitable necessary action can be initiated.
- 8. That if I found guilty in breaking any above said clause, necessary legal action can be taken by the Ludhiana Aggarwala Co. operative House Building Society Ltd., Aggar Nagar, Ludhiana against me. .

IN WITNESS WHEREOF the parties hereby have set their respective hands hereunder the day, the month and the year first above written in the presence of:

WITNESSES:

Ritesh
Bansal

EXECUTANT *Ankur Arora*

Certified that the affidavit SPA/GPA has been readover & explained to the deponent/ executant who seemed correctly to understand the same at the time making above there of.



Attested as Identified
[Signature]
Notary Public
Distt Courts LDH

29 JUL. 2021

True Copy
[Signature]
[Signature]

CWP No. 24438/21

Vakalatnama

IN THE COURT OF High Court of Punjab & Haryana at Chandigarh

Suit/Appeal No. _____ of 202 _____

In re: Abhay Goyal and ans. Plaintiff /Appellant /Petitioner/ Complainant

VERSUS

The Commissioner M.C. Ludhiana and ans. Defendant/Respondent/ Accused

KNOW ALL to whom these present shall come that I/We Mamta Singh & Pooja Dhillon the above named _____ do hereby appoint:

herein after called the advocate(s) to be my/our Advocate in the above noted case authorize him:

Flat No 304 Tower D-4 Purab Priem Apartment, Sector 88 - Mohali

1. To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/us.
2. To sign, file, verify and present pleadings, appeals, cross-objections or petitions for executions review revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subject to payment of fees for each stage.
3. To file and take back documents, to admit and/or deny the documents of opposite party.
4. To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case.
5. To take execution proceedings.
6. To deposit, draw and receive monthly cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.
7. To appoint and instruct any other Legal Practitioner authorizing him to exercise the pow and authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the power of attorney on our behalf
8. And I/We the undersigned do hereby agree to rectify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and proposes.
9. And I/We undertake that I/We or my/our duly authorised agent would appear in Court on all hearings and will inform the Advocate for appearance when the case is called.
10. And I/We the undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case.
11. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain for himself.
12. And I/We the undersigned to hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fees only for the above case and above Court. I/we hereby agree that once fee is paid, I/We will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more than 3 years the original fee shall be paid again by me/us.

IN WITNESS WHEREOF I/We do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this _____ day of _____ 202 Accepted subject to the terms of the fees.

Advocate

Client

Client

Hemant Singh Honorary Secretary, Treasurer

Aggarwala Co-op. H.B. Society Ltd
2nd Floor, LUN 41/1/16 13101

The Aggarwala Group
House Building No. 41/1/16
Aggar Nagar, Ludhiana

Pooja Dhillon
(Mamta Singh & Pooja Dhillon)



Regd. No. : 1310 Dt. 29-04-1971



0161-2465500

The Ludhiana Aggarwala Co-operative House Building Society Ltd.

AGGAR NAGAR, FEROZEPUR ROAD, LUDHIANA - 141 012.

Ref. No. _____

Dated 14/01/2022

COPY OF RESOLUTION NO. 5 DATED 12-7-2021 PASSED BY THE MANAGING
COMMITTEE OF THE LUDHIANA AGGRWALA CO.OP HOUSE BUILDING SOCIETY
LTD., AGGAR NAGAR LUDHIANA.

AGENDA

To Consider and review the
authorisation to institute/defend
the court cases, appear on
behalf of the society, to
appoint Advocates and to pay
their fees & misc. expenses

DECISION

Considered & approved that Sh. Ram Kumar Gupta Vice-President
or Sh. Hem Raj Goel, Hony. Secy or
Sh. Suresh Kumar Jindal, Cashier or Sh. Vipin Singhania Committee
member, or Sh. Ashwani Kumar Goel, Committee member or
Smt. Indu Gupta Committee Member are authorised to institute/
defend the suit/suits sign the pleadings, written
statements /plaints filed by the society or filed by any other
person/persons on the society. Out of the above two committee
members/office bearers are authorised to do all legal work of
Society. They are further authorised to protect the interest of the
society. They are authorised to engage the
advocates, pay their fees and other misc. expenses, act done by
these shall be deemed to be the act of the society.
Further Sh. Krishan Kumar Manager, S. Baljinder Singh Supdt.
and Sh. Kuldeep Kumar Acct/ Clerk are authorised to
attend the court cases on behalf of the society.
Approved with majority.

sd/-in English
(PAWAN KUMAR GARG)
PRESIDENT

sd/- in English.
(I. AM GUPTA)
VICE PRESIDENT

Sd/- in English
(HEM RAJ GOEL)
HONY. SECY.

sd/-in English
(SURESH KUMAR JINDAL)
CASHIER

sd/-in English
(VIPAN SINGHANIA)
COMMITTEE MEMBER

sd/-in English
(INDU GUPTA)
COMMITTEE MEMBER

sd/-in English
(ASHWANI GOEL)
COMMITTEE MEMBER

sd/-in English
(GURCHARAN SINGH)
COMMITTEE MEMBER

sd/- in English.
(MONIKA GOEL)
COMMITTEE MEMBER

sd/-in English
(SARBIOT SINGH)
INSPECTOR C/O ARCS LDH. WEST.

It is certified that the copy resolution No.5 Dated.12-7-2021 is true
copy and book containing in this entry is in the custody of the society.

[Signature]
The Ldb. Aggarwala Co-operative
House Building Society Ltd.
Aggar Nagar, Ludhiana.

24495-12
ANNEXURE R-15

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CM NO. 3281 OF 2022

In

CWP No.24438 of 2021

Abhay Goyal and Anr .

--Petitioner

Versus

The Commissioner, Municipal Corporation Ludhiana and Ors.

--Respondents

Index

Sr. No	Particulars	Dated	Pages	Court Fee
	Urgent Form	03.03.2022	A	3-00
1.	Application for placing on record	03.03.2022	1-2	3-00
2.	Affidavit	03.03.2022	3-4	-
3.	Short Reply on behalf of Respondent No.1	03.03.2022	5-7	-
4.	Annexure R-1 (Site Plan of Society)	10.08.2001	8	1-00
5.	Annexure R-2 (Sanctioned letter alongwith with approved site plan of private respondents)	18.07.2019	9-10	2-00
6.	Adhar Card		11	-
7.	Power Of Attorney	03.03.2022	12	3-00

1 Note: No sitting or former MP/MLA is involved in this case. 12-00/-
2. advanced copy supplied to Petitioner Total Fee

*Copy ready
AAV USM Imp Hk
1/3/2022*

Place: Chandigarh

Dated: 03/03/2022

Singh
(Paramjit Singh)
Advocate

Counsel for Respondent No.1

E.No 1475/2009

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CM NO. 3281 OF 2022
In
CWP No.24438 of 2021

Abhay Goyal and Anr .

--Petitioner

Versus

The Commissioner, Municipal Corporation Ludhiana and Ors.

--Respondents

Application under section 151 CPC for
placing on record Short Reply on Behalf
of Respondent No.1 (Commissioner,
Municipal Corporation, Ludhiana.)

Respectfully Showeth:-

- (1) That the present Petition is fixed for hearing on 10.03.2022 before the Hon'ble Court.
- (2) That the Short Reply is being filed by the Respondent No.1 alongwith the Annexures which is relevant to be placed on record to bring the true facts before the Hon'ble Court, for the proper adjudication of the petition.

It is therefore, respectfully prayed that the present application be allowed and the accompanying Reply on behalf of Respondent No.1 alongwith the Annexures may

kindly taken on record by the Hon'ble Court in the interest of justice.

Further, it is prayed that exemption be granted from filing the certified copy of the Annexures and the true copy of the same may be allowed to be taken on record by the Hon'ble Court, in the interest of justice.

Place: Chandigarh

Dated: 03/03/2022


(Parambir Singh)
Advocate

Counsel for Respondent

E.No 1475/2009

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CM NO. 3281 OF 2022

In
CWP No.24438 of 2021

AbhayGoyal and Anr .

--Petitioner

Versus

The Commissioner, Municipal Corporation Ludhiana and Ors.

--Respondent .



Affidavit Surinder Singh Bindra, Senior Town Planner, Municipal Corporation, Ludhiana I, the above named deponent, do hereby solemnly affirm and declare as under:-

- (1) That the present Petition is fixed for hearing on 10.03.2022 before the Hon'ble Court.
- (2) That the Short Reply is being filed by the Respondent alongwith the Annexures which is relevant to be placed on record to bring the true facts before the Hon'ble Court, for the proper adjudication of the petition.
- (3) That the deponent has attached true Photocopy of the Adhar Card No.

Place: *Ludhiana*

Dated: *03/03/22*

Surinder Singh
Deponent

Senior Town Planner
Municipal Corporation,
LUDHIANA.

10 3 MAR 2022



Certified that the Affidavit has been read over & explained to the deponent.....
 Who seemed to understand the same & signed the same here of.

Verified that the contents of paras No.1 and 2 of my above affidavit are true and correct to my knowledge as derived from official record. No part of it is false and nothing has been concealed therein.

Place: Chandigarh

Dated: 03/03/2022

Heena Rani
 Deponent
 Senior Town Planner
 Municipal Corporation,
 MOHALI

Heena Rani
 I know the deponent/executor
 and he/she has signed/thumb
 marked in my presence
 9331 7931 6195

Attested As Genuine
Heena Rani
 Notary Public
 MOHALI (PH)

03 MAR 2022

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CM NO. 3281 OF 2022
In
CWP No.24438 of 2021

AbhayGoyal and Anr .

--Petitioner

Versus

The Commissioner, Municipal Corporation Ludhiana and Ors.

--Respondent



Short Reply On behalf of Respondent No.1 by
Way of Affidavit of Municipal Corporation,
Ludhiana(SURINDER SINGH BINDRA , STP, MC,
LUDHIANA) *Surinder Singh*

Respectfully Showeth:-

1. That the present petition has been filed by the present petitioner with the prayer that issuance of a writ in the nature of mandamus directing the official respondents to restrain the private respondents to do construction for commercial use upon the plot which has been kept for the purpose of green belt as the same is totally arbitrary and unjustified.

03 MAR 2022

However, it is relevant to submit here that the said property in dispute is situated in area namely Agar Nagar which was developed by the Ludhiana Agarwal Cooperative Society. The society submitted the layout plans/site plan of the Agar Nagar Sector 1&2 ,Ferozepur Road, Ludhiana

Surinder Singh

owned and possessed by the Ludhiana Agarwal Cooperating Housing Building Society dated 10.08.2001 and as the said site plan, the property of the petitioner is far away from the property in dispute. Moreover, as per the said site plan/layout dated 10.08.2001 prepared and submitted by the society, the disputed property marked as red colour.



From the bare perusal of the site plan, there is no existence of the green belt as alleged by the petitioner. Copy of the said layout/site plan dated 10.08.2001 is annexed as **Annexure R-1.**

Further, it is relevant to submit here that the private respondent No.4 and 5 namely Sumit Arora and Ankit Arora submitted application dated 28.06.2019 stating to be registered owner along with other documents i.e sale deed, affidavits etc for sanction of the site plan to raise the construction and the same application was approved on 18.07.2019 for residential purposes only and not for commercial use. Copy the same is annexed as **Annexure R-2.**

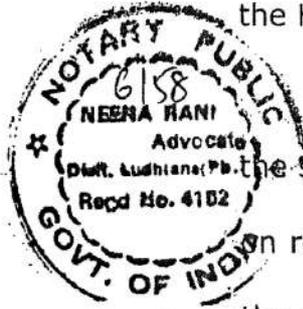
Further, the answering Respondent corporation is only approving the building/site plan as per Punjab Municipal Corporation Act and Punjab Model Building Byelaws, It is submitted that the answering respondent will take necessary

Shivinder Singh

D

and strict action against the persons who will violate the Punjab Model Building Byelaws.

However, the answering Respondent No.1 reserves right to file detailed parawise reply as and when ordered by the Hon'ble Court.



It is therefore, respectfully prayed that in the light of the submissions made the Reply and the material documents on record, the present petition may kindly be dismissed qua the answering respondent No.1 .

Place: Ludhiana

Dated: 03/03/2022 On Behalf of Respondent No.1

Shuinder Singh
Senior Town Planner
Municipal Corporation,
LUDHIANA.

AC/NO
I know the deponent/executant
and he/she has signed/thumb
marked in my presence
9331 7931 *6/195*

Verification :-

Certified that the Affidavit has been read over & explained to the deponent..... Who seemed Perfectly to understand the same at the time of making thereof.

Verified that the contents of the Reply of my affidavit are true and correct to my knowledge as derived from the official records. No part of it is false and nothing material has been concealed therein.

Place: Ludhiana

Dated: 03/03/2022 On Behalf of Respondent No.1

Shuinder Singh
Senior Town Planner
Municipal Corporation,
LUDHIANA.

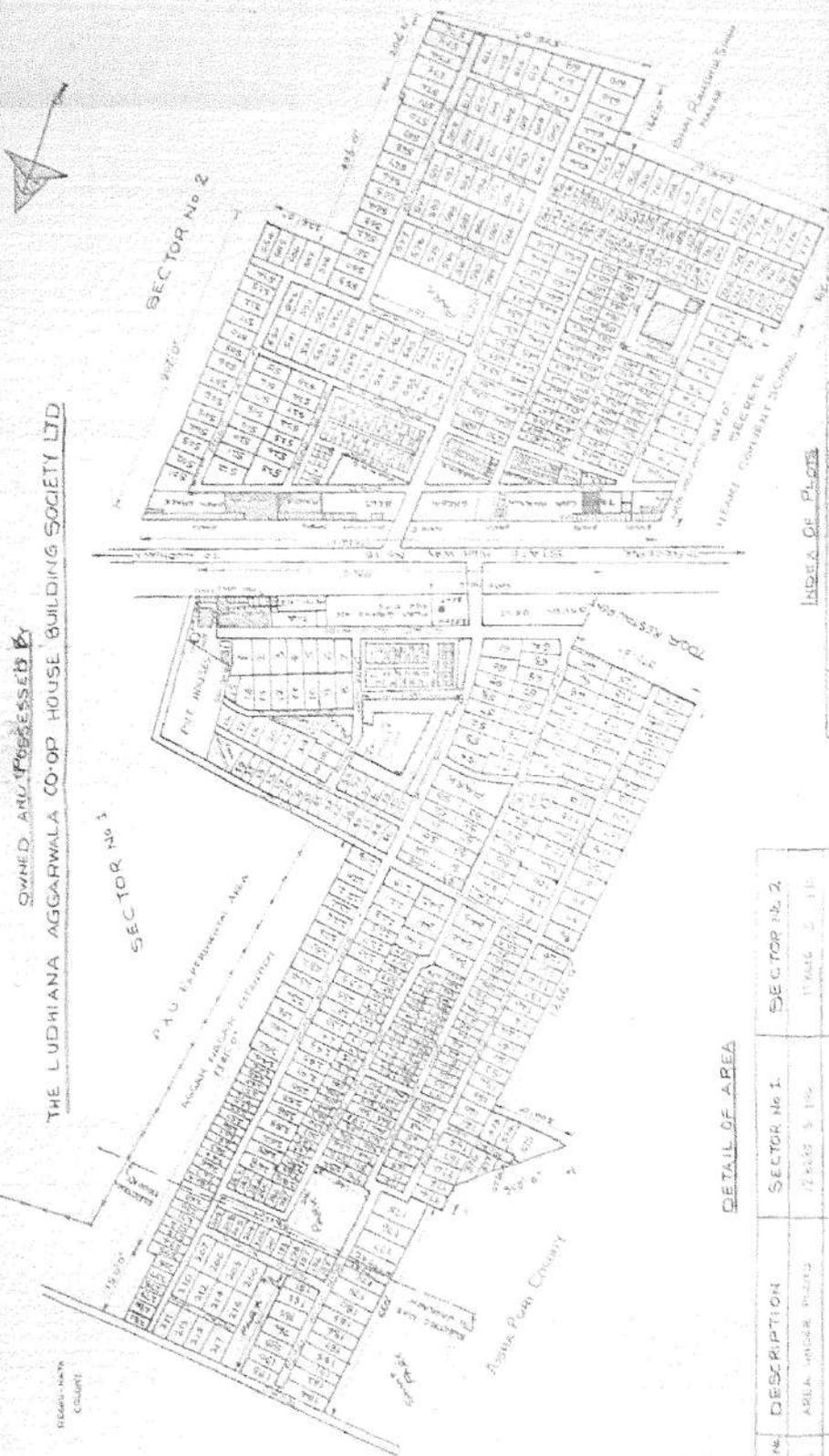
Attested As Identified

Rup Singh
Notary Public
LUDHIANA / PK

03 MAR 2022

LAY-OUT - SITE - PLAN OF AGGAR NAGAR SECTOR 1 & 2
 FEROZE PUR ROAD LUDHIANA

OWNED AND POSSESSED BY
 THE LUDHIANA AGGARWALA CO-OP HOUSE BUILDING SOCIETY LTD



INDEX OF PLANS

NO.	DESCRIPTION OF PLANS	NO. OF SHEETS
1	GENERAL LAYOUT	1
2	SECTIONAL LAYOUT	1
3	SECTIONAL LAYOUT	1
4	SECTIONAL LAYOUT	1
5	SECTIONAL LAYOUT	1
6	SECTIONAL LAYOUT	1
7	SECTIONAL LAYOUT	1
8	SECTIONAL LAYOUT	1
9	SECTIONAL LAYOUT	1
10	SECTIONAL LAYOUT	1
11	SECTIONAL LAYOUT	1
12	SECTIONAL LAYOUT	1
13	SECTIONAL LAYOUT	1
14	SECTIONAL LAYOUT	1
15	SECTIONAL LAYOUT	1
16	SECTIONAL LAYOUT	1
17	SECTIONAL LAYOUT	1
18	SECTIONAL LAYOUT	1
19	SECTIONAL LAYOUT	1
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100	SECTIONAL LAYOUT	1

DETAIL OF AREA

S/N	DESCRIPTION	SECTOR No 1	SECTOR No 2
1	AREA UNDER PLOTS	72435.5 SQ. M.	11646.5 SQ. M.
2	AREA UNDER ROADS	47437.5 SQ. M.	47752.5 SQ. M.
3	AREA UNDER TREE PLANTING	37135.5 SQ. M.	37462.5 SQ. M.
4	AREA UNDER OPENINGS	6454.5 SQ. M.	6454.5 SQ. M.
5	TOTAL AREA	163563.5 SQ. M.	167115.5 SQ. M.
TOTAL AREA OF SECTOR No 1 AND SECTOR No 2		330679.0 SQ. M.	

DATE: 10/10/78
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 SCALE: 1:1000

Building Permit/Sanction

Notice No 9671
Dated 8/10/2021

File/B.A. No. PB/LDH/LUDHII/17242
Dated 18-07-2019

To: SH SUMIT ARORA AND SH ANKIT ARORA SONS SH RAMESH KUMAR ARORA, Ludhiana

Subject: Sanction u/s 262(1) of PMC Act, 1976/PM Act, 1911

Dear Sir or Madam,

With reference to your application dated 28-06-2019, for the grant of sanction to erect/re-erect/add to/alteration in the building to carry out the development specified in the said application relating to Plot/Site No. 785 Ward no. 73 situated in/at B-35-850/1 PLOT NO.-785 PORTION AGGAR NAGAR SECTOR B LUDHIANA. I have to state that the Authority subject to the following conditions and corrections done in the plans has sanctioned the same on 18-07-2019.

The plans are valid up to three year

1. The construction will be undertaken as per sanctioned plan only and no deviation from the bye-laws will be permitted without prior sanction. Any deviation done against the bye-laws is liable to be demolished and the supervising Architect/Professional engaged on the job will run the risk of being black listed.
2. Violation of building bye-laws will not be compounded.
3. It will be the duty of the owner of the plot and the Architect/Professional preparing the plans to ensure that the sanctioned plans are as per prevalent Master Plan/Zonal Plan/Building Bye-laws. If any infringement of bye-laws remain unnoticed, the concerned Authority reserves the right to amend the plans as and when infringement come to the notice and concerned Authority will stand indemnified against any claim on this account.
4. A notice in writing shall be sent to Authority before commencement of the construction of the building as per bye-laws. Similar notice will be sent to Authority when the building has reached up to plinth level.
5. The owner shall not occupy or permit to occupy the building or use or permit to use the building or any part thereof affected by any such work until occupancy certificate is issued by the concerned Authority.
6. Concerned Authority will stand indemnified and kept harmless from all proceedings in court and before other authorities of all expenses /claims which the concerned Authority may incur or become liable to pay as a result or in consequences of the sanction accorded by it to these building plans.
8. The doors and window leaves shall be fixed in such a way that they shall not, when open project on any street.
9. The owner will not convert the house into more dwelling units on each floor then the sanctioned.
10. The building shall not be constructed within minimum distance as specified in Indian Electricity Rules from voltage lines running on side of the site.
11. The land left open as a consequence of the enforcement of the setback rule shall form part of the public street.
12. The owner shall ensure that the public areas like road, parks and other public opens spaces are not used for stacking the building materials or machineries to avoid public inconvenience and nuisance.
13. The sanction will be void if auxiliary conditions mentioned above and other conditions whatsoever imposed are not complied. 14. The owner will use the premises for the use, which has been sanctioned.
15. The owner will not proceed with the construction without having the supervision of an Architect/Professional as the case may be. If he/she changes his Architect/Professional, he/she shall inform the Authority about the appointment of new Architect/Professional within 48 hours, with a proper certificate from him.

Yours Faithfully,

SUNINDER
SINGH
OFFICER

Enc: A set of sanctioned plan.

Contd - - -

ADHAR CARD



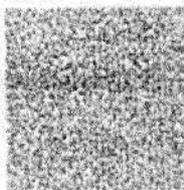

ਭਾਰਤ ਸਰਕਾਰ
 Unique Identification Authority of India
 Unique Identification Authority of India

ਆਦਾਨ ਨੰਬਰ / Enrollment No. : 2707/14002/05248

To
 Surinder Singh Bindra
 ਸੁਰਿੰਦਰ ਸਿੰਘ ਬਿੰਦਰਾ
 S/O Mohinder Singh
 house no: 219
 H Block
 near senior citizen bhawan B.R.S nagar
 Rajpura Nagar
 Rajpura Nagar, Ludhiana, Ludhiana,
 Punjab - 141012
 7837837837

2707/2011
 63721111


 KA637211110FH



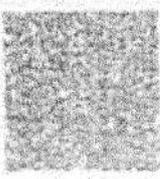
ਤੁਹਾਡਾ ਆਧਾਰ ਨੰਬਰ / Your Aadhaar No. :

ਮੇਰਾ ਆਧਾਰ, ਮੇਰੀ ਪਛਾਣ

ਭਾਰਤ ਸਰਕਾਰ
 Government of India



ਸੁਰਿੰਦਰ ਸਿੰਘ ਬਿੰਦਰਾ
 Surinder Singh Bindra
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 7837837837



ਮੇਰਾ ਆਧਾਰ, ਮੇਰੀ ਪਛਾਣ

Surinder Singh

True photocopy

*Singh
Advocate.*

VAKALATNAMA

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

In re: CWP No. 24438 of 2021

Abhay Goyal and another

VERSUS

The Commissioner, M. Chandiana and others

Petitioner

Appellant

Respondents

Defendant

KNOW ALL the whom these present shall come that I/We, the undersigned appoint

PARAMBIR SINGH
#1219 (FF), Sector 19B, CHD.

to be the Advocate for the Respondent No.1 (Commissioner, MC, Ludhiana) in the above mentioned case to do the following acts, deeds and things or any of them, that is to say :-

1. To act, appear, and plead in the above-mentioned case in this Court or any other Court in which the same may be tried or heard in the first instance or in Appeal or Letters Patent Appeal or Review or Revision or Execution or any other stage its progress unit its final decision.
2. To present, sign and verify, Pleading, Appeals, Letters Patent Appeals, Cross objections or petition for executions review, revision, withdrawal, compromise or other petitions or affidavits or other documents as shall be deemed necessary or advisable for the prosecution of the said case in all its stages.
3. To withdraw or compromise the said case or submit to arbitration any differences or disputes, that shall arise touching or in any manner relating to the said case.
4. To deposit, draw and receive moneys as grant receipts thereof by way of costs refund balance of security and other miscellaneous expenses from Courts or parties, and to do all other acts or things which may be necessary to be done for the progress and in the course of prosecution of the said case.
5. To employ any other Legal Practitioner authorising him to exercise the powers and authority conferred upon the Advocate whenever he may think fit to do so.

AND I/We hereby agree to ratify & certify whatever the Advocate or his substitute does in the premises/proceedings.

AND I/We hereby agree not to hold the Advocate or his substitute responsible for the said case in consequence of his absence from the Court when the said case is called on for trial or otherwise.

AND I/We hereby agree that in the event of the whole or any part of the fee agreed to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid and if any cost are allowed for an adjournment, the Advocate would be entitled to the same.

AND I/We hereby agree that the Advocate will not bound to appear for us if the case is transferred to any other Court or the Court sits at any place other than its normal place of sitting & if any application or Retention is to be filed in the case, the Advocate will be entitled to a fresh fee in the case.

IN WITNESS WHERE OF I/We here onto set my/our hands to these presents the contents of which have been explained to and understood by me/us.

This the 10th day of Feb 2022.

Witness.....

Accepted

Parambir Singh
PARAMBIR SINGH

P/1475/09

M: 9972360026

Amardeep Kaur
Amardeep Kaur
P/4021/2015

Suminder Singh
(Signature or thumb impression)
of the Client/s
Senior Town Planner
Municipal Corporation,
LUDHIANA.



CWP-24438-2021

--1--

2023:PHHC:148831

ANNEXURE R-16

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

266

CWP-24438-2021

Date of Decision: November 21, 2023

Abhay Goyal and another

.....Petitioner(s)

Vs.

The Commissioner, Municipal Corporation,
Ludhiana and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Aayush Gupta, Advocate for the petitioner(s).

Mr. Parambir Singh, Advocate for respondent no.1.

Mr. Arun William, AAG, Punjab for respondent No.2.

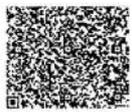
Mr. Manbir Singh, Advocate for respondent No.3.

Ms. Pooja Yadav, Advocate for respondents No.4 and 5

RAJESH BHARDWAJ J. (ORAL)

Through the present petition, the petitioner seeks issuance of direction in the nature of mandamus directing the official respondents to restrain the private respondents from doing construction for commercial use upon the plot which has been kept for the purpose of green belt as the same is totally arbitrary and unjustified.

2. On issuance of notice, respondent No.1 has filed the reply. Counsel for respondent No.1 has drawn attention of this Court to the reply filed where it has been mentioned that the contentions raised by counsel for the petitioner are totally beyond the facts. He has submitted that the site plan was sanctioned by respondent No.1 for the residential purposes only and on



CWP-24438-2021

--2--

2023:PHHC:148831

verification it has been found that there is no violation of plan sanctioned by respondent No.1. He has also submitted that the construction which has been disputed by the petitioner, is also not in the green belt and the same is as per site plan and is beyond the green belt and thus there is no violation committed by respondents as alleged.

3. In view of the submissions made by counsel for the parties and perusal of the record, it is apparent that construction raised is not in green belt and thus there is no need to issue any direction in the present petition.

4. Accordingly, the present petition is disposed of with liberty to the petitioner to avail any other remedy available to him in case any cause of action survives.

(RAJESH BHARDWAJ)
JUDGE

November 21, 2023
sonia arora

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

255

POWER OF ATTORNEY

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, AT NEW DELHI

IN RE : _____

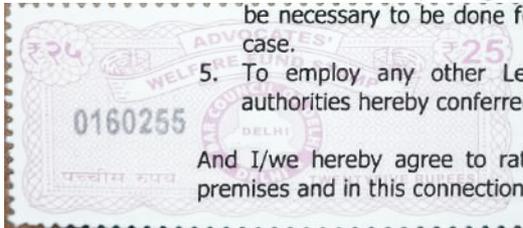
 ARVIND GOEL) Plaintiff or Appellant
) -----Complainant
)Petitioner or Appellant

VERSUS

 MUNICIPAL CORPORATION, LUDHIANA & ORS)Defendant
)-----Respondent
)Accused

KNOW ALL to whom these presents shall that I/we the undersigned appoint **MR VIKAS BALI, , Advocate, Punjab & Haryana High Court, Chandigarh, Resident of # 2183, Sector 21-C, Chandigarh, Mobile No 9888103460, Email: vikasbali@yahoo.com, vikasbalis@gmail.com** to be the advocates for the undersigned in the above mentioned cause to do all the following acts, deeds and things or any of them that is to say:-

1. To act, appear and plead in the above mentioned cause in this court or in any other court in which the same may be tried or heard in the first instance or in Appeal or Letters Patent Appeal or Review or Revision or Execution or at any other stage of its final decision.
2. To whom it may concern: present pleadings, appeals, Letter Patent Appeals, Petition for Appeal or other petition to Supreme Court, or other petitions or affidavits or other documents as shall be deemed necessary or advisable for the prosecution of the said cause at all its stages.
3. To withdraw or compromise the said cause or submit to arbitration any difference or dispute that shall arise touching or in any manner relating to the said cause.
4. To receive money and grant receipts thereof, and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.
5. To employ any other Legal Practitioner authorising him to exercise the powers and authorities hereby conferred on the advocate whenever he may think fit to do so.



And I/we hereby agree to ratify whatever the advocate or his substitute shall do in these premises and in this connection.

I/we hereby agree not to hold the Advocate or his substitute responsible for the result of the said case in consequences of their absence from the court when the said case is called up for hearing.

AND I/we hereby agree that in the event of the whole and part or the fee of the advocates remaining unpaid. They shall be entitled to withdraw from the prosecution of the said case until the said paid.

And I/we hereby agree that the Advocate will not be bound to appear for us if the case is transferred to any other Court Sits at any place other than its normal place of siting.

IN WITNESS where of herein to set our hand to these present the contents of which have been explained to and understood by me/us this the 5th day of January, 2026.

Accepted


(VIKAS BALI)
P-5-2003
Advocate
Mobile No: 9888103460


(MOHIT KAPILA)
P/309/2012


(Signature or Thumb Impression)


Vasu Pandit
D/12360/2025

E-mail : shreeraghunathhospital@rediffmail.com
Website URL: www.raghunathhospital.org

0161-2460162
0161-2460163
0161-2465323



SHREE RAGHUNATH HOSPITAL

Registered for Exemption U/s 80-G of the Income Tax Act, 1961 Vide C.I.T. Ludhiana
Order No. C.I.T.-III/LDH./JB/80-G/315/10-11/5113 Dt. 24-03-2011

AGGAR NAGAR, FEROZEPUR ROAD, LUDHIANA-141 012.

Ref. No. _____

Dated 15-01-2024

True Copy Of Resolution No. 4 dated 7/01/2024 passed in the Executive Committee Meeting held on 07/01/2024 in the premises of the Hospital

Agenda Item No. 4 :- To Discuss and appoint / Authorize the Persons for Court cases (Pending & New).

Secretary and joint secretary are authorized to handle court cases. It has been unanimously resolved that Sh. Rajneesh Kumar Jain (Secretary) & Sh. Vijay Jindal (Joint Secretary) are authorized to appear, file and contest any fresh as well as pending litigations before any competent court of law and are also authorized to make any statement on behalf of Hospital Society. They are also authorized to withdraw any case pending in Court.

Certified to be true copy

Arun Goel
President

Rajneesh Kumar Jain
Secretary