

1 CWP No.11634 of 2010
Decided on 24.9.2015

-- Petitioner

Commissioner, Rohtak Division, Rohtak & others –Respondents

-- Petitioner

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Commissioner, Rohtak Division, Rohtak & others –Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr. S.S.Godara, Advocate, for the petitioners in CWP Nos.11634 and 19807 of 2010

Mr. Naveen Daryal, Advocate, for the petitioners in CWP No.17027 of 2010;

Mr. Tejinder Pal Singh, Advocate, for the petitioner in CWP No. 8969 of 2013

Mr.Rajesh K.Sheoran,Addl.A.G.Haryana

Mr.C.S.Singh.,Advocate, for Mr. G.S.Hooda,Advocate, for respondent No.3 in CWP No.8969 of 2013

Mr.Sudhir Hooda,Advocate, for respondent Nos. 2 and 3 in CWP No. 11634 and 19807 of 2010

Mr.Sunil Nehra,Advocate, for
Mr.Pradeep Singh.Poonia,Advocate, for the respondents in CWP No.11634, 17027 and 19807 of 2010

Mr.Chander Shekhar and Mr.Amardeep Sheoran,Advocates for Mr.Akshay Jindal,Advocate.

Rakesh Kumar Jain,J: (Oral)

This order shall dispose of four petitions bearing CWP No.11634 of 2010 titled Brij Bhushan Chhabra Vs. Commissioner, Rohtak Division., Rohtak and others; CWP No.17027 of 2010 titled Umed and another Vs. Commissioner, Rohtak Division, Rohtak and others; CWP No. 8969 of 2013 titled Kulbhushan Gupta Vs. Commissioner, Rohtak Division, Rohtak and others and CWP No.19807 of 2010 titled Kashmiri Lal Vs. Commissioner, Rohtak Division, Rohtak and others. However, the facts are extracted from CWP No.11634 of 2010 titled Brij Bhushan Chhabra Vs. Commissioner, Rohtak Division, Rohtak and others.

In short, the petitioner has been ordered to be evicted on an

application filed by respondent No.3 Under Sections 4 and 5 of the Haryana Public Premises and Land (Eviction and Rent Recovery) Act, 1972, on account of non-renewal of lease and subletting. The order of eviction has been upheld by both the Courts below i.e. the Collector and the Commissioner, Rohtak Division, Rohtak.

It is submitted by learned counsel for the petitioners that they may be allowed to withdraw these petitions with permission to make a representation to respondent No.3 to re-consider the matter and induct them as licencees or in the alternative renew their licencees.

Learned counsel for respondent No.3 has submitted that though the petitioners cannot claim renewal of licence as a matter of right, but in case, any such representation is made, respondent No.3 shall consider it in accordance with law and if feasible, may keep the petitioners as tenants.

In view of the aforesaid circumstances, these writ petitions are dismissed as withdrawn with liberty to the petitioners to make representation (s) to the respondents within a period of one month from today. Respondent No.3 is further directed to consider the representation accordingly. It is made clear that respondent No.3 shall not be influenced by the order of this Court and shall take independent decision as to whether it would be feasible for it to retain the petitioners as its tenants/ licensees or not.

24.9.2015
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(Rakesh Kumar Jain)
Judge