

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No.20632 of 2015 (O&M)
DATE OF DECISION: 28.09.2015

Santosh Madan and others

....Petitioners

versus

The Adviser to the Administrator, U.T., Chandigarh and others

.....Respondents

CORAM:- HON'BLE MR.JUSTICE S.J. VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Shekhar Choudhary, Advocate for the petitioners

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S.J. VAZIFDAR, ACTING CHIEF JUSTICE (Oral):

The petitioners' only apprehension is that the respondents may take possession of the premises allotted to them otherwise than in accordance with law.

2. The petitioners' case is that a booth was allotted to Mohan Lal Ashok Kumar & Company, a partnership firm consisting of four partners. The booth was resumed in the year 1988. Only one of the partners, Mohan Lal challenged the same by filing an appeal which was dismissed by an order of the Chief Administrator dated 14.03.1990. The revision-application filed by Mohan Lal was dismissed by the Adviser on 06.03.1992.

3. The petitioners allege that they were unaware of these proceedings. They have, therefore, filed an application for review before the Adviser which is pending. The next date of hearing is 07.10.2015.

4. There is nothing to indicate that the respondents will take possession of the property otherwise than in accordance with

law. Admittedly, proceedings under the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 have not been adopted as yet. The apprehension, therefore, appears to be unfounded. Indeed, even an order of sealing would amount to a dispossession which cannot be done otherwise than by due process of law.

4. The writ petition is accordingly disposed of.

(S. J. VAZIFDAR)
ACTING CHIEF JUSTICE

28.09.2015
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(TEJINDER SINGH DHINDSA)
JUDGE