

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.22287 of 2015

Date of Decision: October 16, 2015

Pritpal Singh Anand and othersPetitioners
versus
State of Punjab and othersRespondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE P.B.BAJANTHRI.

Present: Mr.Param Preet Singh Brar, Adv. for the petitioners.

1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

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Surya Kant, J. (Oral)

The petitioners are allottees of flats in Ivory Towers, Sector-70, SAS Nagar Mohali. They have some dispute with the Flats-Owner-Association in respect of revised maintenance charges levied w.e.f. 01.01.2015. There are other allegations as well made by them against the Association.

On a query as to how the writ petition is maintainable in relation to the dispute between two private entities, learned counsel for the petitioners refers to certain provisions of the Punjab Apartment and Property Regulation Act, 1995 and contends that the authorities have been vested with ample powers to intervene and take regulatory measures. He further points out that such issue has already been raised by them in their complaint-cum-representations dated 09.02.2015, 10.02.2015, 14.03.2015 and 14.04.2015 (P-1 to P-4, respectively) but the authorities have not acted thereupon compelling them to approach this Court.

At the outset, it is clarified that we do not express any views on merits of the allegations made by the petitioners, for the reasons that we have not issued any notice to respondent No.5 and it has not been heard at this stage. Suffice it would be for us to observe that respondent No.4 is vested with powers under the Act to resolve the dispute raised by the petitioners vide their complaint-cum-representations, referred to above, relating to violation of the 1995 Act. Let those complaints be decided after hearing both the parties and by way of a reasoned order, as early as possible but not later than three months from the date of receiving a certified copy of this order.

The writ petition stands disposed of accordingly.

Dasti.

[SURYA KANT]
JUDGE

October 16, 2015
mohinder

[P.B.BAJANTHRI]
JUDGE