

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP-22885-2015

Date of decision:- 29.10.2015

Sailesh Kumar and others

...Petitioners

Versus

State of Haryana and others

...Respondents

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

Present: Mr. Raman Gaur, Advocate,
for the petitioners.

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S.J. VAZIFDAR, A.C.J. (ORAL)

Issue notice of motion returnable forthwith.

Service is waived, as Mr. Deepak Balyan, learned Additional Advocate General, Haryana accepts notice on behalf of the respondents.

The petitioners have been issued a notice dated 14.09.2015 calling upon them to show cause as to why they be not evicted on the ground that they are allegedly in unauthorized occupation/possession of the property belonging to the respondents. The petitioners claim to have replied to the same by their letter dated 21.09.2015. The petitioners' grievance is that despite the same, the impugned notice dated 24.09.2015 states that no reply has been received.

2. The reply was addressed on the last date. It is possible that the same was received by the respondents thereafter. However, with a view not to leave any scope for grievance, the respondents are directed to consider the petitioners' reply to the show cause notice dated 14.09.2015 by affording them a hearing.

Till the decision on the show cause notice and for a period of four weeks thereafter, the respondents shall be entitled to use the premises, but the same shall be subject to the result of the show cause notice and the challenge thereto, if any.

The impugned notice dated 24.09.2015 shall be kept in abeyance and shall be substituted by the fresh order to be passed on the show cause notice.

The petitioners are at liberty, in the meantime, to make an application for the removal of their belongings, if any, lying in the premises.

If the goods belong to the petitioners, the respondents shall permit the petitioners to remove the same.

3. The petition is accordingly disposed of.

(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE

(TEJINDER SINGH DHINDSA)
JUDGE

29.10.2015

Amodh