

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

Date of Decision:-18.03.2015

CWP No.4175 of 2015

Raj Kumar Chhabra.

.....Petitioner.

Versus

Haryana Tourism Corporation Limited & Ors.

.....Respondents.

2

CWP No.4176 of 2015

Raj Kumar Chhabra.

.....Petitioner.

Versus

Haryana Tourism Corporation Limited & Ors.

.....Respondents.

3

CWP No.4182 of 2015

Madan Lal.

.....Petitioner.

Versus

Haryana Tourism Corporation Limited & Ors.

.....Respondents.

4

CWP No.4186 of 2015

Harish Banga.

.....Petitioner.

Versus

Haryana Tourism Corporation Limited & Ors.

.....Respondents.

CWP No.4188 of 2015

Neeraj Kumar

.....Petitioner.

Versus

Haryana Tourism Corporation Ltd. & Ors.

.....Respondents.

Present:- Mr. Arvind Rajotia, Advocate for Petitioners
(in all the aforesaid petitions).

Mr. Pritam Saini, Additional Advocate General, Haryana
for the respondents(in all the aforesaid petitions).

JASWANT SINGH, J.(ORAL)

The aforesaid five petitions are being disposed of by a common order since similar facts and common issues are involved.

Five petitions have been filed by Shopkeepers of the shops situated within the Flemingo Tourist Complex, Hisar owned and being run by the Haryana Tourism Corporation. The said shopkeepers were facing eviction proceedings under the Public Premises Act, when on their representations, the Board of Directors of Haryana Tourism Corporation in their meeting held on 30.06.2014 took a decision to regularize their possession/tenancies so as to once and for all sort out the pending issues of the said shopkeepers. In the first instance it was decided that the outstanding dues would be realized from the shopkeepers upto to 31.12.2014, and the shopkeepers would be required to clear such dues by 30.09.2014. The said decision vide letter dated 23.08.2014 (P-1) is stated to have been issued to the Drawing and Disbursing Officer, Flemingo Tourist

Complex, Hisar. Since no such opportunity was extended to the petitioners in terms of P-1, the pending eviction proceedings were finalized and they were ordered to be evicted. Their appeals before the Commissioner, Hisar Divn. under the Haryana Public Premises Act are stated to be pending.

On having acquired knowledge of the letter P-1 they have approached this Court seeking an opportunity in terms of decision of the Board of Directors taken on 30.06.2014 in the backdrop of their having undertaken their business in the said shops since long periods of time.

Upon notice learned Additional Advocate General, Haryana on instructions from Mr. Chander Bhan, the present Drawing and Disbursing Officer, Flemingo Tourist Complex, Hisar, states that the letter at Annexure P-1 however was never received in the office resulting into the denial of the opportunity in terms of letter. However, it has been agreed that all the petitioners would now be granted an opportunity in terms of letter P-1 to clear all the outstanding dues payable till 31.03.2015. It is also agreed that the respondent no.3 shall within one week calculate and intimate to all the petitioners such outstanding dues required to be paid by them. The payments shall then be made within next one week. On such payment, the respondents shall regularize the tenancies of the petitioners by finalizing the new/appropriate terms and conditions and executing fresh lease deeds.

Disposed of in the above agreed terms.

(JASWANT SINGH)
JUDGE

March 18, 2015
Vinay