

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

**Civil Writ Petition No. 11599 of 2012
Date of Decision: 29.11.2016**

Hotel Indus

.....Petitioners

Vs.

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Isha Goyal, Advocate
for the petitioner in CWP No. 11599 of 2012.

Mr. V.K. Sandhir, Advocate
for the petitioner in CWP No. 19469 of 2012, 25802 of 2013.

Mr. A.P.Sandhu, Advocate
for the petitioner in CWP No. 8088 and 20227 of 2013.

Ms. Haramrit Kaur, Advocate for
Mr. Prateek Mahajan, Advocate
for the petitioner in CWP No. 11617 of 2012.

Mr. Dilpreet Singh Gandhi, Advocate
for the petitioners in CWP No. 10490 of 2012,
25802 of 2013, 16545, 16546, 16548 to 16551, 17688 of 2014.

Mr. Ravi Gakhar, Advocate for
Mr. Jagdish Manchanda, Advocate
for the petitioner in CWP No. 19704 of 2013.

Mr. Yatinder Sharma, Additional A.G. Punjab.

Mr. Harsh Chopra, Advocate for
Mr. T.S. Gujral, Advocate
Mr. R.D. Bawa, Advocate
Mr. Shakti Mehta, Advocate
for Municipal Corporation, Amritsar.

Mr. Ashish Verma, Advocate
for respondent No.4 in CWP No. 19469 of 2012.

RAMESHWAR SINGH MALIK J. (ORAL)

This bunch of 14 connected writ petitions bearing CWP Nos. 10490, 11599, 11617, 19469 of 2012; CWP Nos. 8088, 19704, 20227, 25802 of 2013; CWP Nos. 16546, 16548, 16549, 16550, 16551 and 17688 of 2014, is being decided vide this common order, as all these writ petitions raise similar questions of facts.

Learned counsel for the parties are ad idem that instead of keeping all these petitions pending before this Court, let all these writ petitions be disposed of with direction to the competent authority to take a final decision on the One Time Settlement Scheme ('OTS' for short), floated recently and till a final decision is taken, the interim orders, staying demolition and dispossession of the petitioners, may be permitted to continue.

In view of the abovesaid common stand taken by learned counsel for the parties, all these 14 writ petitions are disposed of with the following directions:-

- i) Every petitioner shall be at liberty to make a self contained representation to the Secretary, Department of Local Government, Punjab, raising its/his/her grievance about the OTS, whereby allegedly higher amount is being sought to be recovered from the petitioners. Every petitioner shall file an appropriate representation at an early date and in any case, within a period of four weeks from today. No further time shall be granted for this purpose.
- ii) After expiry of the abovesaid stipulated period of four weeks from today, the Secretary, Department of Local Government, Punjab, shall proceed further, grant due opportunity of being heard to the petitioners or their representatives and shall take final

decision at an early date.

iii) After due deliberations on the issue, if it is felt necessary, the OTS shall be modified suitably. In the alternative, parties may also arrive at an amicable settlement. However, this Court would like to impress upon the respondent authorities to arrive at a workable solution, proceeding on a positive approach, with a view to do complete and substantial justice to the petitioners.

iv) Till the appropriate decision is taken or the matter is amicably settled, the stay orders granted by this Court shall continue to operate. Should there be any confusion, it is clarified that the interim order shall apply in favour of all the petitioners.

Since the matter is pending for quite some long time, let the competent authority take an early decision and preferably within a period of six months from the date of receipt of representations from the petitioners.

With the abovesaid observations made and directions issued, all these writ petitions stand disposed of. No costs.

Pending application, if any, in all these 14 writ petitions shall also stand disposed of.

29.11.2016
Ak Sharma

(RAMESHWAR SINGH MALIK)
JUDGE

Whether speaking/reasoned Yes/No
Whether reportable: Yes/No