

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP No. 12041 of 2012 (O&M)  
Date of decision: 18.2.2016

**Smt. Rama Batra and others**

**.. Petitioners**

**v.**

**Deputy Commissioner and another**

**.. Respondents**

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Sukhdeep Singh, Advocate for  
Mr. Harkesh Manuja, Advocate for the petitioners.  
Mr. Ashok S. Chaudhary, Addl. Advocate General, Haryana.  
Mr. Ajay Ghangas, Advocate for respondent No. 2.

...

Rajesh Bindal J.

The petitioners approached this court with a grievance that action of the respondents in changing the nature of the land left out in the market for being used as parking area to other purposes be set aside.

A perusal of the material placed on record shows that the petitioner earlier filed a civil suit for the purpose in which vide order dated 1.6.2012, interim stay was declined to him. Immediately thereafter, the petitioners withdrew the suit on 4.6.2012. Further, in the open space left out in the market, on the request of shopkeepers, small part was used for lavatories, which is ultimately used by the shopkeepers, their employees and customers. Hence, in these circumstances, it cannot be opined that there was any misuse of the open space left out in the market.

There being no merit in the petition, the same is dismissed.

(Rajesh Bindal)  
Judge

18.2.2016  
mk