

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

**CWP No.12723 of 2015 (O&M)
Date of decision : 12.01.2016.**

Eisha Arora and others

.....Petitioners

Versus

Union Territory Chandigarh and others

..... Respondents

**CORAM: HON'BLE MR.JUSTICE S.J.VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR.JUSTICE ARUN PALLI**

Present : Mr. Harish Mehla, Advocate for the petitioners.

Mr. Shekhar Verma, Advocate for the respondents.

S.J.VAZIFDAR, ACTING CHIEF JUSTICE (ORAL):

128 petitioners claim to be occupants of Kachi Colony, Village Dhanas, Chandigarh. The respondents contend that the structures in this colony are entirely illegal and the occupants thereof have encroached upon the said property and put up the illegal structures. There are no details or particulars regarding each of 128 petitioners. It would be necessary to adjudicate the case in respect of each of the petitioners separately even on the question as to whether the petitioners are occupants of a structure in the said colony.

The respondents, state that no structure in the colony will be demolished except in accordance with law including by first giving a notice under Section 12 of the Punjab New Capital (Periphery) Control Act, 1952 to the parties concerned. The respondents state that they have already given

notices regarding the structures and have passed orders in respect of each of them. However, in the event of a notice have not been given in respect of any particular structure, the respondents will not demolish the same without following the procedure of first serving notice upon the parties concerned.

The petition is accordingly disposed of by recording the above statements. The petitioners are at liberty to make such claims or representations to the respondents as they desire, separately and individually.

(S.J.VAZIFDAR)
ACTING CHIEF JUSTICE

12.01.2016

Manoj Bhutani

(ARUN PALLI)
JUDGE