

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-23147-2016

Date of decision: 08.11.2016

Rakesh Rishi

..... Petitioner

Versus

Union of India and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE RAMENDRA JAIN**

PRESENT: Mr. Vikas Jain, Advocate for the petitioner.

AJAY KUMAR MITTAL, J. (ORAL)

1. The petitioner has approached this Court under Article 226 of the Constitution of India, *inter alia* seeking a declaration of Punjab Act No. 9 of 2001 (Annexure P-1) viz. the East Punjab Urban Rent Restriction (Amendment) Act, 2001 as unconstitutional. Further a writ of certiorari has also been sought for quashing of the notification dated October 9, 2009 (Annexure P-2) issued by the Central Government under Section 87 of the Punjab Reorganization Act, 1966 and published in the Chandigarh Administration Gazette (Extraordinary) dated November 5, 2009, extending the aforesaid Punjab Act No. 9 of 2001 to the Union Territory of Chandigarh, being ultra vires and illegal.

2. Learned counsel for the petitioner candidly submitted that this Court in ***CWP-15378-2011, (Asha Chawla and others Vs. Union of India and others)*** decided on 23.08.2011 had already upheld the vires of Punjab

Act No. 9 of 2001 (Annexure P-1) and also the notification dated

09.10.2009 (Annexure P-2).

3. In view of the detailed reasons given in the judgment dated 23.08.2011 passed in **Asha Chawla and others' case(supra)**, the instant petition is dismissed.

**(AJAY KUMAR MITTAL)
JUDGE**

November 08, 2016

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No