

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(1.)

CWP No.8112 of 2015
Date of Decision:-22.01.2016.

Ravinder Pal Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

(2.)

CWP No.6142 of 2015

Preet Karan Singh and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

(3.)

CWP No.5088 of 2015

Karamjit Singh and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

(4.)

CWP No.7859 of 2015

Harvir Singh

.....Petitioners

Versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE P.B. BAJANTHRI**

- 1. Whether Reporters of local papers may be allowed to see the judgment?**
- 2. To be referred to the Reporters or not?**
- 3. Whether the judgment should be reported in the Digest?**

Present: Mr. Mukesh Kumar Bhatnagar, Advocate for
the petitioner in CWP No.8112 of 2015.
Mr. Anil Chawla, Advocate and
Mr. Anupam Bhardwaj, Advocate for the petitioners in
CWP Nos.6142 and 5088 of 2015.

Mr. V.K. Sandhir, Advocate for the petitioner in
CWP No.7859 of 2015.

Mr. Rajesh Bhardwaj, Additional A.G. Punjab.

Mr. Parveen Kataria, Advocate for SGPC.

Mr. A.S. Virk, Advocate for
Mr. P.S. Thiara, Advocate for
respondent No.4 in CWP No.7859 of 2015.

SURYA KANT, J. (ORAL)

1.) This order shall dispose of CWP Nos.8112, 6142, 5088
and 7859 of 2015 as the point in issue involved in these cases is
common in nature. Facts are being extracted from CWP No.8112 of
2015.

2.) The petitioner was a tenant under the Shiromani
Gurdwara Parbhandak Committee (for short 'SGPC') in shop No.9 in
Darbar Sahib at Amritsar. The entire premises comprising the
tenanted-shop was taken over for executing the 'Galiara Project'
namely, beautification and widening etc. of Shri Harmandar Sahib
Complex. Though the Amritsar Development Authority had no
concern with the landlord-tenant relationship between the petitioner
and SGPC yet as a part of welfare policy of the State Government,
the tenants were offered alternative commercial shops by the
Amritsar Development Authority. The petitioner was also offered

shop No.14 in the New Plaza. He has however, laid challenge to clause (2) of the allotment letter dated 17.3.2015 whereby he is required to vacate the tenanted premises as a pre-condition for the allotment of new shop.

3.) During pendency of this writ petition, the petitioner has shifted to the new premises from where he is now running his business.

4.) Even after taking possession of the new premises, the petitioner has not vacated the old shop. In these circumstances, when there is lack of bona fide in approaching the Court, we give last opportunity to the petitioner to hand over vacant possession of the old shops, failing which the allotment in New Plaza be cancelled and they be also evicted from the old shops subject to their right to compensation, if any, under the Law.

5.) We have directed so as the condition No.(2) asking the petitioners to vacate the old premises before shifting to the new shop allotted to them, is fair, just and equitable. If it is not acceptable to them, then the recourse as directed vide para (4) above, has to be followed.

6.) Disposed of.

**(SURYA KANT)
JUDGE**

**(P.B. BAJANTHRI)
JUDGE**

January 22, 2016.

sandeep sethi