

(206)

LPA-1861 of 2014

**Municipal Corporation
Versus
Balkar Singh & Ors.**

Present:- Mr. Samarth Sagar, Advocate,
for the appellant.

Mr. R. S. Randhawa, Addl. AG, Punjab.

Mr. Amit Jain, Advocate
for respondent Nos. 1 to 6.

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Prima facie we are not satisfied that the respondents were the tenants in the land in dispute. Concededly, this land was declared surplus in the year 1960 and thereafter the same vested in the State Government. Later on, it was purchased by one Surinderjit Singh in the year 1974 from the State Government and, thereafter, it vested in the Municipal Corporation in the year 1976.

Municipal Corporation initiated process to evict the respondents under the Public Premises Act which resulted in the order of eviction. It is, however, nowhere pleaded by the respondents either before the lower authority or before this court that the respondents are the tenants on the land in dispute and for the first time, the plea was raised in the writ petition with no evidence to support their plea. It clearly seems to be an instance where the respondents are prime facie changing their stance.

Confronted with this situation, learned counsel for the respondents prays for time to place on record some documents.

List on 17.11.2016.

**(MAHESH GROVER)
JUDGE**

August 12, 2016.

Anoop

ANOOP KUMAR AGGARWAL
2016.08.19 12:14
I attest to the accuracy and
authenticity of this document
High court Chandigarh

**(SHEKHER DHAWAN)
JUDGE**