

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

**COCP-2193-2016 (O & M)
Date of decision: 30.05.2017**

City Centre Traders Association

.... Petitioner

V/s

Varun Roojam and ors.

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. S.K. Arya, Advocate, for Mr. K.S. Kang, Advocate, for the petitioner.

Mr. V. Ramswaroop, Addl.A.G., Punjab.

Mr. Sanjeev Soni, Advocate, for respondent No.2.

Mr. S.C. Pathela, Advocate, for respondent No.4.

Rajan Gupta, J. (Oral)

Petitioner alleges violation of order dated 07.02.2013 passed by the writ court. Operative part thereof reads as under:-

“In view of the above statements, made by the learned counsel for the parties, the instant writ petition is ordered to be disposed of, with a direction to respondent No.3-Municipal Corporation, Amritsar to ensure that pursuant to the estimate approved by the competent authority on 29.1.2013, needful is done at the earliest possible and in any case within a period of two months, including the fencing of the City Centre Market, opposite old Tehsil Complex, City Centre, G.T. Road, Amritsar and also to ensure that the parking place is not illegally encroached by the unauthorized persons.”

Learned counsel appearing for respondent No.2-Municipal Corporation, Amritsar, submits that pursuant to aforesaid order, fencing of

the City Centre Market has already been done. An affidavit has also been filed by the State counsel in light of order dated April 3, 2017 passed by the Contempt Court. Same is taken on record. Paras 2 and 3 thereof read as under:-

“2. That it is most respectfully submitted that in compliance with the order dated 07.02.2013 (Annexure P-1) and in pursuance to the directions issued by the then Commissioner of Police, Amritsar City, police officials from police post Bus Stand of police station ‘A’ Division, Amritsar City and from Traffic Staff, Amritsar City are regularly deployed in order to ensure that no unauthorized vehicle i.e. bus or truck etc is parked in the designated parking area in City Center, Amritsar. Consequently, neither any unauthorized vehicle is parked nor any encroachment has been found in the designated parking area in City Center, Amritsar.

3. That it is most respectfully further submitted although no unauthorized vehicle i.e. bus or truck etc is parked and no encroachment has been found in the designated parking area in City Center, Amritsar, yet the answering deponent undertakes that if the Municipal Corporation, Amritsar approaches the office of the answering respondent seeking any kind assistance for removal of any unauthorized encroachment in the designated parking area in City Center, Amritsar then the same shall be provided in accordance with law.”

In view of the above, no cause of action survives in this petition.
Disposed of. Rule is discharged.

May 30, 2017
sukhpreet

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No