

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

CWP No. 2376 of 2016

Date of Decision:-23.10.2017

Gurinder Singh Jakhar

...Petitioner

Versus

Union Territory of Chandigarh and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE S.J. VAZIFDAR, CHIEF JUSTICE
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present:- Mr. Rajbir Singh Guron, Advocate
for the petitioner.

Mr. Suvir Sehgal, Sr. Standing counsel with
Mr. Akshay Sethi, Advocate
for the U.T. Chandigarh.

S.J. VAZIFDAR C.J.(Oral)

The petition is allowed to be withdrawn with liberty to the petitioner to adopt appropriate proceedings including by challenging the notification dated 03.11.2003 (Annexure P-4) and/or by filing an appeal against the order dated 09.10.2015 (Annexure P-11).

Further the petitioner shall be at liberty to pay the amounts demanded towards conversion charges without prejudice to his rights and contentions. The respondents shall also be entitled to accept the amounts, if paid, without prejudice to their rights and contentions. In the event of the amounts being paid as demanded and in the event of the petitioner

complying with all other requirements, the respondents shall process the application for sanctioning the plan in accordance with law, even during the pendency of any proceedings. It is further clarified that in the event of the respondents accepting the payments, if made, the same shall be subject to further orders in such proceedings including the payment of interest. In the event of the petitioner succeeding, the respondents shall be liable to refund the amount, with interest, if any, as may be fixed by the Court, Tribunal or Authority as the case may be.

(S.J. VAZIFDAR)
CHIEF JUSTICE

October 23, 2017
Vijay Asija

(HARINDER SINGH SIDHU)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No