

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

Date of Decision: 28.09.2017

1. Civil Writ Petition No. 20696 of 2017 (O&M)

Ramandeep Rana and others

.....Petitioners

versus

State of Punjab and others

.....Respondents

2. Civil Writ Petition No. 4491 of 2016 (O&M)

Aastha Apartment Welfare Association through its President Rupinder Singh Bajwa

.....Petitioner

versus

State of Punjab and others

.....Respondents

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

Present : Ms. Driti J.Sharma, Advocate for the petitioners in
CWP No. 20696 of 2017.

Mr. Ajay Pal Singh, Advocate, for the petitioner in
CWP No. 4491 of 2016.

Mr. G.S.Attariwala, Advocate
for respondent Nos. 4,5 and 10 in CWP No. 20696 of 2010 and
for respondent Nos. 5,6 and 9 in CWP No.4491 of 2016.

Mr. Nitin Kaushal, Advocate, for respondent-PPCB.

Mr. Kirpal Singh Thakur, Advocate
for respondent No. 9 in CWP No. 20696 of 2017.

Dr. Surya Parkash, Advocate
for respondent Nos. 15,16 and 17 in CWP No. 4491 of 2016.

Mr. Dhruv Sihag, Advocate and
Mr. Vishal Sharma, Advocate for PSPCL.

Mr. Rakesh Gupta, Advocate for respondent Nos.12, 13, 14 &
16 in CWP No.20696 of 2017.

Mr. Sahil Sharma, Additional Advocate General, Punjab.

S.J.VAZIFDAR, CHIEF JUSTICE (ORAL)

With the consent of the parties, Civil Writ Petition No. 4491 of 2016 which had been adjourned to 10.10.2017 is placed on board and taken up for hearing today itself.

2. Both the matters were heard for some time. The parties have agreed that both the petitions be disposed of by the following order without reasons for the same:-

- (i) The construction work shall be carried out by the developers only as per the sanctioned plan and in accordance with any modification thereof.
- (ii) The petitioners in both the petitions agree and undertake not to obstruct the construction work by the developers in any manner whatsoever. They, however, shall be entitled to raise their objections and grievances before the competent authority, namely, the Municipal Council, Zirakpur which is one of the respondents in both the petitions.
- iii) Till the occupation certificates/completion certificates are obtained, the developers shall pay all the costs, charges and expenses in respect of the common facilities to the concerned authorities such as the Municipal Council, Zirakpur and Punjab State Power Corporation Ltd. Punjab State Power Corporation Ltd. respondent No.9 in Civil Writ Petition No. 20696 of 2017 and respondent No.11 in Civil Writ Petition No.4491 of 2016.
- (iv) Mr. Ajay Pal Singh, the learned counsel appearing on behalf of the petitioners in Civil Writ Petition No. 4491 of 2016 agrees to pay to the PSPCL an amount of ₹ 1,37,225/-. This is without

prejudice to the rights of the petitioners and only to show the bona fides of the said petitioners.

- (v) Upon issuance of the completion certificates and occupation certificates, the official respondents shall proceed in all respects in accordance with law.
- (vi) The developers agree and undertake to pay the arrears of charges of the PSPCL and for any other common facilities by 03.10.2017. The undertaking is accepted and it is so ordered. PSPCL is requested to supply the electricity forthwith for the common areas in view of the undertaking of the developers to pay inter-alia PSPCL’s dues by 03.10.2017.
- (vii) The developers shall ensure that all the lifts are in working condition by 05.10.2017 to the satisfaction of the competent authority.

The petitions are accordingly disposed of.

(S.J. VAZIFDAR)
CHIEF JUSTICE

28.09.2017
ravinder

(HARINDER SINGH SIDHU)
JUDGE

Whether speaking/reasoned	√Yes/No
Whether reportable	Yes/No/