

HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

1.

CM-6001-CWP-2016 in/and  
CWP-26080-2014 (O&M)  
Date of Decision: January 27, 2017
- Surjeet Singh and others

Versus

Union Territory of Chandigarh and others
- .....Petitioners

.....Respondents
2.

CWP-26135-2014
- Om Parkash Sharma and others

Versus

Union Territory of Chandigarh and others
- .....Petitioners

.....Respondents
3.

CWP-26429-2014
- M/s Grand Plaza and another

Versus

Union Territory, Chandigarh and others
- .....Petitioners

.....Respondents
4.

CWP-26430-2014
- M/s Sagar Guest House and another

Versus

Union Territory, Chandigarh and others
- .....Petitioners

.....Respondents
5.

CWP-26533-2014
- Vijay Singh Rana and others

Versus
- .....Petitioners

Union Territory of Chandigarh and others

.....Respondents

6.

CWP-26965-2014

Sarabjit Singh

.....Petitioner

Versus

Municipal Corporation, UT, Chandigarh and others

.....Respondents

and

7.

CWP-2682-2015

Kanwar Shakti Singh and others

.....Petitioners

Versus

Union Territory of Chandigarh and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR. JUSTICE AMOL RATTAN SINGH

1.

To be referred to the Reporters or not?

Yes/No
2.

Whether the judgment should be reported in the Digest?

Yes/No.
3.

Whether Reporters of local papers may be allowed to see the judgment?

Yes/No
- .....

Present:

Mr.Vikas Bahl, Sr.Advocate with  
Ms.Manpreet Kaur, Advocate  
Mr.Girish Agnihotri, Sr.Advocate with  
Mr.Saroj Malakar, Advocate in CWP-26135-2014  
Mr.Alok Jain, Advocate in CWP-26965-2014  
Mr.Gurinder Singh, Advocate in CWP-26080-2014 and  
CWP-2682-2015.  
Dr.Surya Parkash, Advocate  
in CWP-26533-2014.  
for the petitioners.  
Mr.Amit Jhanji, Advocate for the applicant in CM-6001-CWP-  
2016.

Mr.Suvir Sehgal, Sr.Standing counsel for UT, Chandigarh.  
Mr.Vishal Sodhi,Advocate for UT, Chandigarh in  
CWP-26135-2014.

Ms. Deepali Puri, Advocate  
for MC.

.....

**SURYA KANT, J.**

The question that arises for consideration in these writ petitions is whether the petitioners are entitled to carry on commercial activities of running 'Guest Houses' from their respective premises located within the revenue estate of different villages situated in the Union Territory, Chandigarh? It may be mentioned that vide impugned orders, Chandigarh Administration prohibited the petitioners to run 'Guest Houses' from their premises. The aggrieved petitioners have approached this Court. During the pendency of these writ petitions, Chandigarh Administration has notified the Rules known as '*Chandigarh Rural Inhabitations (Area within Red Line of Revenue Estates, Abadi Areas) Construction and Reconstruction Building Bye Laws for villages (both within and outside Municipal Limits) falling in Union Territory of Chandigarh, 2017*' (for brevity, 'the Rules'). Under Rule 3 of these Rules, the activities like 'Institutions/ Guest Houses' have been specifically prohibited from the residential building, size whereof is also described in Rule 3 *ibid*.

Since these Rules have come into force and the premises where the petitioners have been running 'Guest Houses' fall within one or the other Clause of Rule 3, the instant writ petitions are disposed of as infructuous with liberty to the petitioners either to approach the authorities, if they are entitled to run 'Guest House' within the framework of the notified Rules, and/ or lay challenge to these Rules before an appropriate Forum.

We clarify that no views have been expressed on the merits of the petitioners' claim.

Disposed of.

**( SURYA KANT )  
JUDGE**

**January 27, 2017**  
meenuss

**( AMOL RATTAN SINGH )  
JUDGE**

- |           |                                    |               |
|-----------|------------------------------------|---------------|
| <b>1.</b> | <b>Whether speaking/reasoned ?</b> | <b>Yes/No</b> |
| <b>2.</b> | <b>Whether reportable ?</b>        | <b>Yes/No</b> |