

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.26014 of 2016.

Date of Decision: February 07 , 2017

Subash Gupta and others

.....Petitioners

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.S.K.Choudhary, Advocate, for the petitioners.

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Surya Kant, J. (Oral)

The petitioners used to earn their livelihood by running their business from the shops which were demolished by the Improvement Trust Pathankot in the process of removing encroachments over the roads. It appears that in the light of the observations made by this Court in the order dated 04.12.2008 passed in CWP No.10946 of 2006 (Sunit Sharma and others versus The Deputy Commissioner, Gurdaspur and others) (P-4), in exercise of PIL jurisdiction, the Improvement Trust passed a resolution to rehabilitate the persons like the petitioners whose shops were demolished. In this backdrop, the petitioners seek a direction to the Improvement Trust, Pathankot to allot them shops in '0.46 Acre Scheme' on priority basis and before any public auction is held.

We find from the record that such a claim has already been raised by the petitioners by way of representation dated 01.10.2014 (P-6).

In this view of the matter and without expressing any views on the merits of petitioners' claim, the writ petition is disposed of with a direction to respondent Nos.2 & 3 to consider the above-mentioned claim of

the petitioners and take an appropriate decision within a period of two

months from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

February 07, 2017
mohinder

[SUDIP AHLUWALIA]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No