

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

CWP No.5059 of 2017

Date of Decision.20.04.2017

Smt. Ravi Kapoor

.....Petitioner

Vs

Collector-cum-SDO (Civil), Gurgaon and another

.....Respondents

Present: Mr. Munish Jolly, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J.(ORAL)

C.M. No.5737 of 2017

Application is allowed.

Annexures P-9 to P-12 are taken on record subject to all just exceptions.

CWP No.5059 of 2017

In the proceedings initiated under the Public Premises Act, the petitioner was proceeded ex parte on 26.04.2010 and resultantly, the impugned order dated 15.11.2011 came to be passed. On having acquired the knowledge when the respondents came to take possession, the petitioner moved an application dated 01.04.2015 (Annexure P-2). However, zimni orders annexed with the misc. application reveals that in the meantime, possession of the property has been taken.

I deem it appropriate to dispose of the writ petition by issuing direction to the Collector, Gurgaon to decide the application dated 01.04.2015 (Annexure P-2) seeking setting aside of the ex parte order as expeditiously as possible and preferably within a period of three months

from the date of receipt of certified copy of this order.

Mr. Munish Jolly, learned counsel appearing on behalf of the petitioner submits that possession of the property has been taken and certain articles and valuables of the petitioner are lying in the house, few of them are of perishable nature. They may be permitted to be removed. The Deputy Commissioner, Gurgaon is directed to depute concerned Tehsildar to render assistance to the petitioner for removing the articles and prepare the memo of articles.

The writ petition stands disposed of with the above directions.

(AMIT RAWAL)
JUDGE

April 20, 2017
Pankaj*

Whether speaking/reasoned Yes

Whether reportable No