

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.23318 of 2012 (O&M)

Date of Decision: 22.10.2018

Daljit Singh Chadha and others

.....Petitioners

Vs.

**Punjab and Haryana High Court Building Committee, Chandigarh and
ors.**

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.ADS Jattana, Advocate, for the petitioner.

Mr.Ayush Sarna, AAG, Punjab.

Mr.Animesh Sharma, Advocate, for respondents No.3 and 4.

Mr.Hardeep Singh, Advocate, for respondents No.4 and 5.

RITU BAHRI, J. (ORAL)

Petitioners are praying for restraining respondents No.5 and 6 from allotting the chambers under construction in Block II of District Bar Association, Patiala to persons who have applied after cut-off date i.e.31.08.2010 as per brochure, Annexure P-2 and further seeking direction to respondents No.1 and 2 to form an Adhoc Committee so as to scrutinize the relevant record vis-a-vis the allotment of chambers to persons other than members of the District Bar Association as well as wrongful allotment to persons who have applied after the cut-off date and further seeking directions to respondent No.2 to immediately call for and take over the entire record regarding lawyers chambers Block No.2 including the total number of applications submitted up to the cut off date along with particulars of bar

association.

District Bar Association is being represented by Mr.Animesh Sharma, Advocate and on 27.07.2017, this Court was informed that no cause of action survives in this petition as chambers have already been allotted to all the petitioners and lawyers are operating from there and at this stage learned State counsel sought adjournment so as to enable him to take instructions from respondent No.2 and apprise the Court whether any adjudication is required or not. On 09.08.2017, learned State counsel sought time for filing affidavit of respondent No.2 in the light of order dated 27.07.2017 and respondents No.2 and 4 were directed to be present in Court. On 14.09.2017, President and Secretary, District Bar Association, Patiala were present in the Court and they had apprised the Court of existing situation in the chambers at Patiala and thereafter, their presence was exempted. The status report was filed by Deputy Commissioner, Patiala on 21.08.2017 in which he has attached Annexure R-1 i.e. a copy of letter sent by the District Bar Association dated 16.08.2017 and a copy of allotment letters which have been issued to all the petitioners and report of the Sub Divisional Magistrate, Patiala i.e. Annexure R-2 regarding physical possession of the petitioners. As per status report, chamber No.104 (Ground Floor) has been allotted to Sh.Chaman Lal, Advocate and Sh.Daljit Singh Chadha, Advocate (petitioner No.1) and they are having office in this Chamber. Similarly Chamber No.516 (fourth floor) has been allotted to Sh.Amarnath Bansal and Sh.Manmohan Singh, Advocates (Petitioners No.2 and 3 respectively) and chamber No.225 has been allotted to Sh.Ajmer Singh Lohat (Petitioner No.4) and Sh.Pankaj, Advocates. On 07.12.2017, learned counsel appearing for the petitioner had contended that petitioners

are more than 70/80 years old and as per the notification (Annexure P-1) they are entitled to allotment of chambers on the ground floor. Learned counsel appearing for the Bar Association submitted that allotments were made way-back in the year 2013 as per policy. A query has, however, been put to whether elevators have been installed and function with power back up then he sought time to file a short affidavit. Thereafter, counsel for the Bar Association has filed affidavit of District Bar Association, Patiala as per order dated 07.12.2017, it has been reported that petitioner No.1 has been allotted chambers No. 104 on the ground floor of Mahatma Gandhi Complex, Patiala. Petitioner No.4 has been allotted Chamber No.225 on the 1st floor of Mahatma Gandhi Complex, Patiala. Petitioners No.2 and 3 have been allotted Chamber No.516 on the 4th floor of Mahatma Gandhi Complex, Lawyers Chamber, Patiala and so far as elevators are concerned, it has been submitted that there is an elevator installed in the Mahatma Gandhi Complex which is fully functional and is connected to regular power supply. So keeping in view the affidavit dated 04.02.2018, no further direction is required to be given to the respondents in the present writ petition. In separate reply filed by Registrar Rules dated 20.05.2013 that a complaint dated 28.05.2012 was received from petitioner No.1 regarding cancellation of allotment/re-allotment of Lawyer's Chambers in Yadvindra Complex, District Court, Patiala. Pursuant to this complaint, a report has been filed by vide letter dated 24.12.2012 by the District & Sessions Judge, Patiala, that as per the report of Execution Engineer, Provincial Division No.1, PWD (B&R) the size of each Chamber being constructed in the IInd Block of the Lawyer's Chamber is 10'-1/2" X 8'-6" and the total covered area is 42462

construction has been worked out at the rate of Rs.1201/ per sq. ft. The District and Sessions Judge, Patiala further report that the drawings of the Chambers being constructed were got approved from the Building Committee of the High Court.

In view of the above, no further directions are required to be passed in the matter. Accordingly, the present writ petition is disposed of.

(RITU BAHRI)
JUDGE

22.10.2018

anil

Whether speaking/reasoned Yes/No

Whether reportable Yes/No