

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

**COCN No.2426 of 2018
Date of Decision: 11.07.2019**

Rajiv Kumar and others

Petitioners

Versus

A.K. Sinha, Chairman, Chandigarh Housing Board, Chandigarh and another

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. A.S. Nabhewala, Advocate
for the petitioners.

Mr. Sanjeev Kumar, Senior Advocate with
Mr. Nitin Kaushal, Advocate
for the respondents.

AVNEESH JHINGAN, J (Oral):

The present contempt petition has been filed pleading wilful disobedience of order dated 19.07.2013 passed by this Court in the bunch of writ petitions, main case being CWP No.22766 of 2010. Relevant portion of the order is reproduced below:-

“During the pendency of these petitions, the respondent Board and the Chandigarh Administration, keeping in view the hardship being faced by the owners/possessors of the dwelling units, planned to introduce the need based changes in the existing dwelling units, and in this regard, formation of a new policy is under consideration. According to learned counsel for the respondent Board as well as the Chandigarh Administration, the said policy is likely to be finalised very soon.

In view of the aforesaid facts, learned counsel for the

parties have agreed that these petitions be disposed of with a direction to the respondent Board to consider the violations made by the petitioners in accordance with the new policy and if permissible under the said policy, the same be regularised. The violations, which cannot be regularised even under the new policy, shall be liable to be demolished in accordance with law by giving notice to the concerned petitioner. Till claim of each and every petitioner is considered under the new policy and appropriate order is passed after providing opportunity of hearing, no demolition shall take place.

Accordingly, all these petitions are disposed of in the aforesaid terms.”

The contention of learned counsel for the petitioner is that inspite of order, notice dated 06.07.2018 for demolition has been served upon the petitioner.

Learned counsel for the respondents states that only a show cause notice was served upon the petitioner and demolition shall be done, if required, only after complying with the decision of this Court.

Learned counsel for the petitioner states that in view of statement of learned counsel for the respondents, no grievance survives.

The present contempt petition is disposed of as infructuous.

The rule issues against the respondent is discharged.

[AVNEESH JHINGAN]
JUDGE

July 11, 2019

<i>pankaj baweja</i>	1. Whether speaking/ reasoned	:	Yes
	2. Whether reportable	:	No