

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

**COCP No. 1929 of 2019**  
**Date of decision: 19.10.2019**

**Gulshan Dewan and others**

**.. Petitioners**

**v.**

**Karan Avtar Singh**

**.. Respondent**

**CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN**

**Present:** Mr. N. P. Chandel, Advocate for  
Mr. R. S. Pandher, Advocate for the petitioners.

Ms. Anu Chatrath, Senior Advocate with  
Mr. Nishant Maini, Advocate for the respondent.

...

**AVNEESH JHINGAN, J. (Oral)**

The writ petition filed by the tenants/occupiers of the sites in Janta Rehri Market, Phase 3B1, SAS Nagar Mohali being aggrieved that their claim for rehabilitation was not considered on the ground that they were unauthorised tenants/occupiers, was disposed of on 18.9.2018. The relevant portion is reproduced below:

*“(8) It goes without saying that the petitioners belong to marginalized section of society and their source of livelihood was small time businesses set up in the khokas which they had taken on rent/tehbazari basis from the allottees/occupiers. It is also not in dispute that the fire incident snatched the source of petitioners’ livelihood and they were brought on roads. It is quite possible that the State Government or its agencies like GMADA may not in every*

*unfortunate accident provide alternative sites at the State expense, for it all depends upon the fiscal condition of the State and the budget it can afford to allocate on social welfare means. However, the petitioners would be fully satisfied if the State Government issues instructions to the agencies like GMADA to construct booth sites on the principle of 'no-profit-no-loss' and rehabilitate them without incurring any additional burden on the State Exchequer or its agencies. Since repeated directions issued in the past for consideration or re-consideration of such claims have failed to yield any fruitful result, we direct the Chief Secretary to State Government to intervene in the matter and take appropriate decision, and if feasible, issue necessary instructions to GMADA to identify the site and start the project within a period of six months from the date of receipt of certified copy of this order. The consent of each petitioner shall be taken in advance and they shall deposit earnest money or the advance instalment so that the progress of the project is not hampered for want of funds.*

*(9) Disposed of."*

An affidavit dated 20.9.2019 was filed wherein it was pleaded that offer has been made to the petitioners for allotment of booth sites already available with GMADA in different sectors of the Urban Estate. Learned counsel for the respondent sought time to have instructions as to within what time the draw of lots can be held.

Learned counsel for the respondent, on instructions from Mr. Kamaljit Singh, Law Officer, GMADA states that entire process for issuance of letter of intent would be completed within 3 months from today, in case there are no legal impediments.

In view of the statement made, learned counsel for the petitioners states that no cause of action survives for pursuing the present contempt petition.

Disposed of.

**(AVNEESH JHINGAN)**  
**JUDGE**

19.10.2019  
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|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether reportable:        | Yes/No |