

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-4426-2017 (O&M)
Date of Decision: February 07, 2019

Harsharanbir Singh Hundal

...Petitioner

Versus

District & Sessions Judge, Mohali and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI,
CHIEF JUSTICE.**

HON'BLE MR. JUSTICE ARUN PALLI, JUDGE.

Present: None for the petitioner.

Mr. Shireesh Gupta, Sr. DAG, Punjab.

Mr. Sanjeev Manrai, Sr. Advocate, with
Mr. Vivek Singla, Advocate,
for District Bar Association, Mohali.

KRISHNA MURARI, C.J. (ORAL)

Case called out. No one respond for the petitioner.

With the aid of learned counsel appearing for the respondents
we have gone through the pleadings. This petition has been filed seeking
the following reliefs:-

***“i. For the issuance of a writ in the nature of certiorari
and thereby quashing/setting aside the tender notice
dated: 01/12/2016, Annexure P-3, called by
respondent No. 6 & respondent No. 8 for construction
of the Advocates Chambers at sector-76, District***

Judicial Complex, Mohali, and the entire tendering process, including allotment of tenders to respondent no. 9, which tendering had been called illegally by the respondent No. 6 & no. 8 without following due process of law/without any tendering process and allotting the tender in an oblique manner to respondent no. 9 without submitting the necessary architectural/structural designs for prior approval to the respondent No. 3 as required by the agreement (between DC, Mohali & Selected President) dated: 06/07/2016, Annexure P-1, as the construction of Advocates Chambers is being carried out by the respondent no. 6 & 8, in a hasty and un-guided manner as can be seen from the RTI application dated: 26/12/2016, Annexure P-5, and replied to by the respondent No. 3 (XEN-PWD) by reply dated: 04.01.2017, Annexure P-6, and further the construction work is being carried out in a piecemeal manner with substandard materials as can be seen from the photographs, Annexure P-17;

- ii. *For the issuance of a writ in the nature of mandamus and thereby directing the official respondents No. 1 to 3 to initiate an enquiry with regard to the construction, collection and framing of rule for the*

Allotment, Construction & Maintenance of the Lawyers Chambers at District Judicial Complex, Sector 76, Mohali;

- iii. *For the issuance of a writ, order or direction to the respondent No. 4 and 5 to frame the rules for Construction, Allotment & Maintenance of Chambers before-hand any process to construct or collect money could be undertaken by the respondent No. 5 as the earlier rules, Annexure P-10, which had been sent for approval to the respondent No. 1 by order dated: 14/09/2016, Annexure P-9, were found to be inadequate/illegal/without jurisdiction by the report dated: 23/09/2016, Annexure P-11, of the Additional Sessions & District Judge, SAS Nagar and despite this report, the same rules are being implemented with impunity and brazenness by the respondent No. 6;*
- iv. *For the issuance of a writ, order or direction and thereby restraining the construction of the Advocates Chambers being carried out by the respondent No. 6 to 8 without any supervision or mandatory structure checks as required by the agreement dated: 06/07/2016, Annexure P-1, during the pendency of the writ petition;”*

We are informed by the learned counsel representing the respondents that the construction of the entire Judicial Court Complex as well as the Lawyers Chambers at Mohali is complete and possession thereof has already been delivered long back and it is fully functional.

In these circumstances we are of the considered opinion that the petition at hands is rendered infructuous by afflux of time and accordingly stands dismissed as such.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

February 07, 2019

Pk Kapoor

Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO