

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

CWP-25789-2019 and CWP-30272 of 2019

Date of decision : 18.10.2019

M/s Creative Designers and another

.... PETITIONERS

Versus

Municipal Corporation, Jalandhar and others

..... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJIV SHARMA

Present: Mr. Sumeet Mahajan, Senior Advocate, with
Mr. Amit Kohar and Mr. Saksham Mahajan, Advocates,
for the petitioners.

Mr. Jastej Singh, Advocate, with
Mr. Dilprava Lakra, Commissioner,
Municipal Corporation, Jalandhar,
for the respondents

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RAVI SHANKER JHA, CHIEF JUSTICE

Short affidavit, duly sworn by Mr. Diprava Lakra,
Commissioner, Municipal Corporation, Jalandhar, filed in CWP-25789-
2019, is permitted to be taken on record.

With the consent of the learned counsel for the parties, both the
writ petitions are heard and disposed of finally.

The petitioners, who are in the advertising business, had
obtained a contract for installing 59 unipoles in Zone 1 of Municipal
Corporation, Jalandhar. Admittedly and undisputedly, out of 59 sites, 33

sites were not workable. The parties had agreed to determine the sites at the later stage, but no steps in that regard were taken. The petitioners had approached this Court on the previous occasion as well as by way of the present petitions, seeking direction to the respondents to allot them the alternative sites in Zone 1 of Municipal Corporation, Jalandhar.

The petitioners have also filed CWP-25789-2019 in respect of the non-compliance of the directions issued by this Court for not deciding their representation and against the fresh advertisement issued by the Municipal Corporation, Jalandhar, in respect of installing unipoles. This Court, vide order dated 17.09.2019 passed in CWP-25789-2019, has not just issued notices to the respondents, but has also issued suo motu notices of contempt. Replies have been filed by the respondent Corporation and as per the directions issued by this Court in CWP-25789-2019, Mr. Diprava Lakra, Commissioner, Municipal Corporation, Jalandhar, is present in person in the Court.

Having heard the learned counsel for the parties and having gone through the record of the case, including the agreement that has been entered into between the parties and the dispute resolution contained therein, the learned senior counsel appearing for the petitioners and the Commissioner, Municipal Corporation, Jalandhar, who is present in the Court, have made a conjoint statement that they shall sit together and resolve the dispute between the parties within a period of 15 days from today, in respect of 24 sites in Zone 1 of Municipal Corporation, Jalandhar, as the parties have no further dispute in respect of 9 additional sites out of the original 59 sites. To clarify, there is no dispute, as on date, existing

between the parties in respect of 35 sites.

In view of the conjoint statement made by the learned counsel for the petitioners and the Commissioner, Municipal Corporation, Jalandhar, who is present before this Court, the petitions are disposed of with liberty to the parties to resolve the dispute amicably within 15 days from today. It is agreed by the parties that for resolving the dispute, they would be at liberty to sit together as well as undertake surveys for the purposes of arriving at an amicable settlement.

It is made clear that this Court has not gone into the order passed and the directions issued in respect of enquiry initiated by the Corporation in respect of the work already done by the petitioners.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(RAJIV SHARMA)
JUDGE

October 18, 2019
ndj

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No