

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 413 of 2020

Date of Decision: 20.01.2020

Ram Bilas (deceased)

.....Petitioner

Vs.

Union of India and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. J.K. Goel, Advocate,
for the petitioner.

AMOL RATTAN SINGH, J. (ORAL)

Learned counsel for the petitioner submits that the petitioner is only seeking that he be not evicted from the suit premises for a period of six months, in view of the fact that the application filed by him, addressed to the Municipal Committee/Municipal Council, Charkhi Dadri, in terms of the liberty given to him by this Court, vide its judgment and order dated 10.05.2019, passed in RSA No. 1894 of 2018, is still pending before that Committee, though he admits that it was filed late.

It is to be noticed that the appeal filed by the appellant was dismissed on 10.05.2019, while giving liberty as follows to the petitioner (appellant in that appeal):-

“Ram Bilas- appellant in RSA No.1894 of 2018 is left at liberty to seek his remedy, in accordance with law, against the Municipal Committee, Charkhi Dadri as he is the sufferer because Municipal Committee, Charkhi Dadri obtained sanction from the

Government for sale of the disputed land despite having sanctioned site plan of Union of India prior in time. In case Ram Bilas (since deceased) represented by his LRs files a representation to Municipal Committee, Charkhi Dadri for allotment of some alternative accommodation, the same would be considered by the authorities concerned sympathetically.”

That being so, without making any comment on the manner in which such representation of the petitioner is to be decided, it is directed that the petitioner be not evicted from the suit premises till 28.02.2020, while the Municipal Committee in the meanwhile, decides his application.

However, it is made absolutely clear that no matter in which manner the application is decided, as regards the right of the decree-holder in the suit, in which execution proceedings are pending, they shall not be affected and the petitioner shall have to vacate the premises under all circumstances by 28.02.2020.

Any petition or application filed for extension of time shall not be entertained under any circumstances.

The petition is disposed of accordingly.

January 20, 2020
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.