

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

CWP-20217-2020 (O&M)
Date of decision:- 26.11.2020

Dinesh Kumar Manchanda

...Petitioner (s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Siddharth Gupta, Advocate,
for the petitioner.

Mr. Deepak Balyan, Additional Advocate General, Haryana.

(The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual Court)

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RAVI SHANKER JHA, C.J. (ORAL)

This petition has been filed by the petitioner challenging the show cause notices dated 10.08.2020 (Annexure P-2) and 13.10.2020 (Annexure P-4) issued to the petitioner by the respondents asking him to deposit rent for the period 01.07.2020 to 31.12.2020 of the shop that is leased out to the petitioner.

The show cause notice dated 13.10.2020 (Annexure P-4) clearly specifies that the petitioner, if aggrieved, would be at liberty to file response before the authorities by 20.10.2020. It is also evident from the agreement entered into by the petitioner with the respondents that clause 17 thereof provides for arbitration in case of any dispute arising between the parties. Apparently, in the instant case, the petitioner has not filed any response to the notice dated 13.10.2020 (Annexure P-4), nor has the petitioner invoked the arbitration clause. There is also nothing on record to indicate that there is any order of cancellation passed by the authorities, nor is there any averment to this effect in the petition.

In the circumstances, we do not feel that there is any ground made out by the petitioner for entertaining the petition, at this stage.

The petition is accordingly disposed of granting liberty to the petitioner to submit response to the show cause notices issued by the respondents.

Mr. Deepak Balyan, learned Additional Advocate General, Haryana, appearing for the respondents, submits that in case the petitioner does so within a week, the authorities concerned shall consider and take a decision thereon.

It goes without saying that the petitioner, if aggrieved, would still be at liberty to invoke the arbitration clause.

With the aforesaid observations and in view of the statement made by learned Additional Advocate General, Haryana, the writ petition stands disposed of.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

26.11.2020
Amodh

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No