

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CR no. 226 of 2021 (O&M)

Date of Decision:24.03.2021

**M/s Annex Media Marketing Network Private Limited**

**.....Petitioner**

Versus

**Greater Ludhiana Area Development Authority and others**

**..... Respondents**

**CORAM:- HON'BLE MRS.JUSTICE LISA GILL**

Present: Mr. Gurcharan Dass, Advocate  
for the petitioner.

Mr. Balwinder Singh, Advocate  
for respondents no.1 to 3.

Mr. Gagan Oberoi, Advocate  
for respondent no.4.

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**LISA GILL, J(Oral).**

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

This revision petition has been filed by the petitioner for setting aside orders dated 12.01.2021 and 19.01.2021, passed by the learned Civil Judge (Jr. Division), Ludhiana as well as order dated 03.02.2021, passed by learned Additional District Judge, Ludhiana. Petitioner's application under Order 39 Rule 1 and 2 CPC had been disposed of by the learned trial Court with a direction to the Commissioner of Police, Ludhiana to decide petitioner's application dated 21.02.2020 seeking permission to hold exhibitions at GLADA Ground, Opposite Vardhman Spinning Mills, Chandigarh Road, Ludhiana from 20.12.2020 to 26.03.2021. Respondent no.4 was restrained from holding exhibition/s in the meantime. Appeals

were filed by the petitioner and respondent no.4. Petitioner's application was rejected by the Commissioner and respondent no.4 permitted to hold exhibition. Learned Additional District Judge, Ludhiana, dismissed petitioner's appeal and that of respondent no.4 was dismissed as infructuous vide order dated 03.02.2021.

Aggrieved therefrom, this petition was filed.

Contentions on behalf of the petitioner while issuing notice of motion were recorded as under:-

“It is submitted that the petitioner had applied for necessary permission for holding exhibition at GLADA ground opposite Vardhman Spinning Mills, Chandigarh Road, Ludhiana from 21.02.2021 till 26.03.2021. Application had been moved on 21.02.2020. Necessary permission was granted to the petitioner on 20.03.2020 and a sum of Rs.9,05,000/- was deposited by the petitioner. Due to outbreak of the pandemic, COVID-19, it was informed by the authorities on 14.09.2020 that permission for use of GLADA ground is cancelled and that the petitioner would have to seek fresh permission as per new instructions. However, deposit of Rs.9,05,000/- was not refunded at that time. In the interregnum Union of India vide order dated 30.09.2020 permitted holding of exhibitions w.e.f. 15.10.2020. Petitioner had asked for postponement of the dates for holding exhibition to the year 2022, however on coming to know of order dated 30.09.2020, an application dated 08.10.2020 was moved by the petitioner, requesting that letter dated 01.10.2020 for postponement be ignored and that dates earlier scheduled for the year 2021 be restored and all instructions issued by the Government from time to time would be observed by them. However, permission was denied to the petitioner on 16.11.2020 and in an absolutely illegal manner permission to hold the exhibition was granted to respondent No. 4 on the next day i.e. on 17.11.2020 that too for lesser amount of Rs.7,60,905/-.”

During pendency of this revision petition, learned counsel for respondents no.1 to 3 had submitted that two other grounds measuring 1.2 to 1.5 Acres are available.

Learned counsel for the petitioner, at this stage, submits that with certain restrictions yet again being imposed by the administration on holding of exhibitions etc., due to a surge in COVID-19 cases, besides onset of summer, it would not be possible to hold exhibitions, therefore the petitioner does not wish to pursue the present revision petition. He seeks to withdraw this revision petition with liberty to pursue the civil suit.

Learned counsel for the petitioner, however prays that the amount of Rs.9,05,000/- lying deposited with the respondent-Authorities be refunded, though without prejudice to the rights of petitioner's claim to interest, if any.

Mr.Balwinder Singh, Advocate, learned counsel for respondents no.1 to 3, submits that the said amount shall be refunded to the petitioner within two weeks, however petitioner is not entitled to any interest whatsoever as the petitioner had itself submitted that the amount be retained by the Authorities for permission to be granted in the year 2022.

Keeping in view the facts and circumstances as above, this revision petition is dismissed as withdrawn with liberty as aforementioned. Needless to say, amount of Rs.9,05,000/- be refunded to the petitioner within two weeks in terms of the statement made before this Court, without prejudice to rights of either of the parties.

**24.03.2021**

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**[LISA GILL]  
Judge**

Whether speaking/reasoned : Yes/No.  
Whether reportable : Yes/No.