

CWP-14298-2021

Date of Decision: 04.08.2021

RAJ KUMARI AND ANOTHER

... PETITIONERS

V/S

UT CHANDIGARH THROUGH ITS ADMINISTRATOR AND
OTHERS

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA
HON'BLE MR. JUSTICE VIVEK PURIPresent: Mr. Shekhar Choudhary, Advocate for the petitioners.
Mr. Jaivir Chandail, Addl. Standing Counsel, U.T. Chandigarh.

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TEJINDER SINGH DHINDSA, J. (ORAL)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Petitioners seek a mandamus directing respondent No.3 i.e. Sub-Divisional Magistrate (East) exercising the powers of the Estate Officer, U.T. Chandigarh, Industrial Area, Phase-I, Chandigarh to desal the property described as two rooms situated on ground floor of House No. 666, Sector 20-A, Chandigarh. Writ of certiorari has also been prayed for seeking quashing of the order dated 27.2.2020 (Annexure P-10) whereby the afore-described premises have been directed to be sealed.

On the previous date of hearing, counsel for the petitioners had informed us that the representation/petition filed by the petitioners for desealing of the premises is pending before the authority concerned but no final decision in such regard has been taken. Under such circumstances, we

had requested Mr. Jaivir Chandail, learned counsel representing U.T. Chandigarh to complete instructions.

During the course of hearing today, learned counsel representing U.T. Chandigarh apprised us that the matter with regard to desealing of the premises is actually under consideration and respondent No.3 has now preponed the date of hearing in such matter and the same is now slated for 11.8.2021 at 3 P.M. We have further been assured that a final decision would be taken after affording an opportunity of hearing to all concerned positively within a period of two weeks from the date of hearing that has already been fixed i.e. 11.8.2021.

In the light of such categorical stand having been taken, there would be no occasion for this Court to go into the validity of the order dated 27.2.2020 (Annexure P-10) whereby the premises had been directed to be sealed.

Writ petition is disposed of.

The respondents would be bound by the statement furnished by Mr. Jaivir Chandail, Advocate during the course of hearing.

(TEJINDER SINGH DHINDSA)
JUDGE

(VIVEK PURI)
JUDGE

04.08.2021
Janki

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