

IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH

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CWP-21150-2021

Date of decision:14.10.2021

DHARAMRAJ AND ANOTHER

...PETITIONERS

V/S

URBAN LOCAL BODIES DEPARTMENT, HARYANA AND OTHERS

...RESPONDENTS

***CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA***

Present: Mr. Udit Mendiratta, Advocate,
for the petitioners.

Ms. Palika Monga, DAG, Haryana,
for the respondents.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioners have approached this Court praying for not shifting them from the site which was initially allotted to them.

Counsel for the respondents has pointed out that petitioner No. 1 was allotted Site No. 8 and he continues to be on the said site. As regards petitioner No. 2, he was allotted Site No. 17 but instead of sitting in Site No. 17, he is shifting his place of vending. Because of this conduct on the part of petitioner No. 2, a notice has also been issued to him on 12.10.2021, copy whereof has been produced in the Court which is taken on record. In the said notice also, it is mentioned that Site No. 17 has been allotted to him.

Keeping in view the above position, as has been explained by the counsel for the respondents on the basis of the document, which has

been brought on record, we do not find any justifiable ground to interfere in the present writ petition as of now. However, it is made clear that the location and number of the vending site after allotment should not be changed at the whims and fancies of the authorities. This is for the reason that this affects the business and earnings of the allottee adversely. In case if any such step is required to be taken, a proper notice be given to the concerned allottee assigning the reason for such change to be made and after receipt of reply to pass a speaking order which should be conveyed to the allottee forthwith.

The writ petition, therefore, stands dismissed with the above observations and directions.

(AUGUSTINE GEORGE MASIH)
JUDGE

(ASHOK KUMAR VERMA)
JUDGE

October 14, 2021

pj