

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

112

CRM-M-24132-2022 (O&M)

Date of Decision: 30.05.2022

DEEPAK NARANG AND OTHERS

... Petitioners

Versus

STATE OF PUNJAB AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Bipan Ghai, Senior Advocate with
Mr. Rishabh Singla, Advocate
for the petitioner.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioners seek issuance of direction to respondents No.1 and 2 to issue ten days' notice to the petitioners in case they are required in complaint No.727 dated 19.05.2022 pending before DSP (City), Jalandhar Rural.

Learned Senior counsel for the petitioners submits that the property in dispute was leased to the petitioners from 07.09.2015 to 06.09.2020; that the possession of the property was handed over to the petitioners, who have been running a firm in the name and style of M/s City Hospitality; that due to Covid-19 pandemic, the petitioners suffered huge losses; that a fresh memorandum of understanding was executed between the parties on 01.10.2020, extending the lease period till 31.03.2021 and that, now, the private respondents want the property to be vacated. He further submits that the petitioners have already paid a security amount of Rs.33,50,000/- and that instead of returning the said amount, the present complaint has been registered against the

petitioners. Still further, it is submitted that the property in dispute is situated at Chandigarh, whereas the present complaint has been filed before DSP (City), Jalandhar Rural and that the petitioners have filed a suit for permanent injunction (Annexure P-5), which is pending, before the Court of learned Civil Judge (Senior Division), Chandigarh.

Notice of motion to the respondent-State only.

On the asking of this Court, Mr. Ajay Pal Singh Gill, DAG Punjab, accepts notice on behalf of the respondent-State.

Admittedly, the petitioners are tenants in the subject property, which is situated at Chandigarh. The complaint was moved by respondent No.5 (brother-in-law of respondent No.3), before the DSP (City), Jalandhar Rural. Petitioner No.1 has already filed a suit seeking permanent injunction against respondents No.3 and 4, which is pending adjudication.

In view of the above, the present petition is disposed of with a direction to DSP (City), Jalandhar Rural or the concerned Authorities, to give three days' advance notice to the petitioners in case they are required or to be arrested in the above noted complaint.

30.05.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>