

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

211

CWP-8222-2019
Date of Decision: 04.08.2023

DISTRICT BAR ASSOCIATION PALWAL THROUGH ITS
SECRETARY

... Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Suvir Sidhu, Advocate and
Mr. Gursher Singh Dhillon, Advocate
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana.

Mr. Vikas Chatrath, Advocate
for the respondent No.2-High Court.

Mr. Deepak Sabherwal, Advocate
for respondents No.3 and 4.

VINOD S. BHARDWAJ, J. (ORAL)

The prayer in the present petition is for issuance of directions to the respondents to restore the electricity supply, water connection as well as to bear the electricity charges for the electricity consumed in Bar Room, Bar Lounge, Canteen, Library, Office of the Bar Association, Corridor, meant for the public purposes and litigants at Judicial Court Complex, Palwal.

Learned counsel for the parties contend that a similar issue had arisen before a Division Bench of this Court in *CWP No.2042 of 2007* titled as '*Punjab and Haryana High Court Bar Association Versus Union of India and other*' reported as *2007 SCC Online Punjab and Haryana*,

Page 62, which was decided vide judgment dated 30.05.2007 and the following directions were issued therein:

- “(i) The Bar Rooms, Bar Library, office of the Bar Association and Bar Lounge are part and parcel of the High Court and, therefore, their water and electricity charges should be borne by the High Court as had been done in the past. Therefore, the electricity and water bills which are unpaid would also be paid by the High Court.*
- (ii) The Bar Association shall forward its request for additional energy requirement to the Registrar General of the High Court within a period of 15 days and the same shall be considered by the High Court. Thereafter, it shall be forwarded to the U.T. Administration – respondent Nos.2 and 3 without any undue delay. The U.T. Administration-respondent Nos.2 and 3 shall sanction and release the additional electricity load as per the proposal forwarded by the Registrar General of the High Court; and*
- (iii) The water and electricity charges of such premises which are leased out by the Bar Association for commercial purposes with the permission of Hon'ble the Chief Justice, have to be borne by the Bar Association. It is also made clear that the chambers constructed for the members of the Bar Association are not considered as part of the High Court building and, therefore, no benefit would ensue to the chambers being occupied by the members of the Bar Association or any other part of the building which has been leased on commercial purpose.”*

The aforesaid directions were followed by this Court in judgment dated 14.12.2016 passed in **CWP-3717 of 2016** titled as '**Bar Association, Zira Versus State of Punjab and others.**' Similar interim directions were also issued in **CWP-4521 of 2018** titled as '**Bar Association Karnal Vs. State of Haryana and others.**'

Counsel for the respondents have not disputed the aforesaid orders passed by this Court from time to time. It is, however, informed that the State of Haryana has already preferred a Special Leave Petition (SLP) No.2374 of 2010 before the Hon'ble Supreme Court, which was converted into a Civil Appeal No.4114 of 2013, wherein although notice has been issued, however, the directions issued by this Court have not been stayed so far.

Counsel for the parties are *ad idem* that they shall abide by the judgment/order which will be passed by Hon'ble the Supreme Court in Civil Appeal No.4114 of 2013.

In view of the aforesaid uncontroverted position of fact and noticing that the directions for release of electricity connection have already been issued by a Division Bench of this Court in the matter pertaining to the ***Punjab and Haryana Bar Association (supra)*** and in view of the statement made hereinabove by the counsel for the respective parties, the present is disposed of in terms of the directions as extracted above. However, all other questions of assessment or any other liability are kept open.

Disposed of accordingly.

04.08.2023.
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(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No