

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

CWP No.7901 of 2023 (O&M)

Date of Decision :22.12.2023

Ashish Thakur

.....Petitioner

Versus

State of Punjab and others

..... Respondents

**CORAM: HON'BLE MR.JUSTICE ARUN PALLI, JUDGE
HON'BLE MR.JUSTICE VIKRAM AGGARWAL, JUDGE**

**Present : Mr. Kshitiz Goel, Advocate and
Mr. Harsh Behal, Advocate for the petitioner.**

**Mr. V.G.Jauhar, Addl.A.G. Punjab.
Mr. Jagjot Singh, Advocate for respondent No.4.**

ARUN PALLI, J. (Oral):

The petitioner has prayed for the following substantive relief:-

**“Civil Writ Petition under Articles 226/227 of
the Constitution of India for the issuance of an appropriate
writ, direction or order especially in the nature of Certiorari
quashing Clause 5 of the letter dated 21.01.2020 (Annexure
P-3) whereby the guideline that the “servant room cannot
be rent out separately by allottees/tenants” are approved by
the respondent no.3 against the provisions of the Punjab
Apartment Ownership Act, 1995 and the Constitution of
India, 1950 and for which the representation dated
24.03.2023 (Annexure P-6) stand filed by the petitioner, in
the interests of justice;**

**For the issuance of an appropriate writ,
direction or order especially in the nature of Mandamus**

directing the official respondents to initiate appropriate action against respondent no.4 for forming a Tenant Scrutiny Committee in violation of the office order dated 06.08.2021 (Annexure P-5) regarding which the representation dated 24.03.2023 (Annexure P-6) stand filed by the petitioner, in the interests of justice.”

At the outset, learned counsel for the petitioner submits that prior to the institution of this petition, he had even served the respondents-authority with the representation dated 24.03.2023 (P-6) qua his concerns and grievances and even though a considerable time has elapsed but the matter has not made any tangible progress.

Served with the advance copy of the petition, Mr. V.G., Jauhar, learned Additional Advocate General, Punjab, is present in Court. At the outset, he submits, for the competent authority is already in seisin of the concerns/grievances of the petitioner, it shall be expedient if the petition at hand is disposed of, at this stage, to enable it to deal therewith. He submits that necessary orders, in accordance with law, shall be passed, as expeditiously as possible and shall be communicated to the petitioner.

Learned counsel for the petitioner is in agreement with the course suggested by the learned State counsel, and submits that let this petition be disposed of, in terms of the statement made by him.

The petition is accordingly disposed of, in terms of the statements made by learned counsel for the parties.

This Court is sanguine that the authorities shall look into the matter in the right earnest. And the appropriate orders shall be passed, as expeditiously as possible, as undertaken by the learned State counsel.

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated above, the competent authority shall examine the concerns/grievances of the petitioners, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

22.12.2023
Manoj Bhutani

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