

CWP-12621-2020(O&M) 1

2023:PHHC:073336

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-12621-2020(O&M)
Date of decision : 19.05.2023

Chandan Singh and others

... Petitioners

Versus

Union of India and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present:- Mr.Ankit Grewal, Advocate
for the petitioners.

Mr.Sunil Kumar Sharma, Sr.Panel Counsel for UOI-
respondents no.1 and 2.

Ms.Upasana Dhawan, AAG, Haryana
for respondent no.3.

Mr.Pritam Singh Saini, Advocate and
Ms.Vibha Nagar, Advocate
for respondent no.4.

Mr.Bhuvnesh Satija, Advocate
for respondent no.5.

VIKAS BAHL, J.(ORAL)

CM-5324-CWP-2023

1. This is an application under Section 151 CPC for placing on
record the written statement on behalf of respondents no.1 and 2.

2. Application is allowed. Written statement filed on behalf of
respondents no.1 and 2 is taken on record subject to all just exceptions.

CWP-12621-2020

1. This is a civil writ petition filed under Articles 226/227 of the
Constitution of India for issuance of an appropriate writ, order or direction

declaring the notice (Annexure P-1) being illegal and against law as the same is in violation of Public Premises (Eviction of Unauthorised Occupants) Act, 1971.

2. Learned counsel for respondents no.1 and 2, on instructions from Junfed Ali, Sr. Section Engineer/Works, Faridabad, has fairly stated that challenge in the present writ petition is only to the notice (Annexure P-1) and subsequent to the notices, respondents no.1 and 2 are yet to initiate proceedings under the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 and thus, the present petition is premature. It is submitted that till the time an order is passed by the Competent Authority under the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, the petitioners would not be dispossessed forcibly.

3. Learned counsel for the petitioners, in view of the stand taken by learned counsel for respondents no.1 and 2, has stated that the present petition has been rendered infructuous and the same be disposed of. It is prayed that respondents no.1 and 2 be bound by the statement made before this Court.

4. In view of the above, the present petition is disposed of as having been rendered infructuous. Respondents no.1 and 2 would be bound by the statement made before this Court.

5. Pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

(VIKAS BAHL)
JUDGE

May 19, 2023

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No