

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

211

CWP-23628-2016 (O&M).
Date of Decision: 01.02.2023.

PARMILA SHARMA & OTHERS

..Petitioners

VERSUS

UNION TERRITORY CHANDIGARH AND OTHERS

.. Respondents

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

PRESENT

Mr. V.D. Sharma, Advocate
for the petitioners.

Ms. Isvanmeet Kaur, Advocate, for
Mr. Anil Mehta, Advocate,
for respondent No.1.

Mr. Ashish Rawal, Advocate,
for respondent No.2.

Mr. Deepak Sabherwal, Advocate
for respondent No.3.

VINOD S. BHARDWAJ, J. (ORAL)

The instant writ petition had been filed for seeking issuance of a writ in the nature of mandamus directing the respondents No.1 and 2 i.e. U.T. Chandigarh and Municipal Corporation respectively to pay compensation for a sum of Rs.10 lacs each along with interest from the date of death till payment.

Learned counsel appearing on behalf of the petitioners contends that the construction on the plot that was taken on lease by respondent No.3 was undertaken without adherence to the safety standards and the building bye-laws and resultantly, the on going construction collapsed at the time of digging work of basement being undertaken by the

respondents.

It is also uncontroverted that an ex gratia compensation of Rs.2,50,000/- had already been granted by the Union Territory, Chandigarh, to meet the hardship that had occurred. The stand of the respondents is that premises in question had been leased out to respondent No.2 and that the construction activity was being undertaken by respondent No.2 by engaging contractors and that there is no lapse attributable to them.

Taking into consideration the totality of the circumstances and the fact regarding assessment of the compensation and also the disputed facts regarding the liability of the respondents, learned counsel appearing on behalf of the petitioners seeks permission to withdraw the present petition with liberty to take recourse to the appropriate remedies available to the petitioners in accordance with law for resolution of the disputes questions pertaining to the liability and computation.

Disposed of as withdrawn with liberties as aforesaid.

February 01, 2023.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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