

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

CWP-19838-2023

Date of Decision: 06.09.2023

Gurjinder Singh and others

..... Petitioners

Versus

The Chandigarh Administration and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Sanjiv Gupta, Advocate, for the petitioners.

Rajesh Bhardwaj, J. (ORAL)

Prayer in the present petition is for quashing the impugned notice dated 01.05.2023 (Annexure P-7), impugned public notice dated 30.08.2023 (Annexure P-8) vide which public notice has been issued to clear the outstanding dues/amount of taxi operators alongwith schedule of payment of ground rent shown due to taxi stand on revised rates (18% GST extra) (Annexure P-9) being illegal against the provisions of Punjab Municipal Corporation Act as applicable to the Union Territory Chandigarh coupled with the Chandigarh Urban Development Laws and for staying the operation of the impugned notice dated 01.05.2023, impugned public notice dated 30.08.2023 as well as schedule/table of payment showing the outstanding amount or in the alternative the sealing/resumption of the Taxi Stands of the petitioners may kindly be stayed.

Learned counsel for the petitioners has submitted that vide impugned notice dated 01.05.2023 and public notice dated 30.08.2023, the petitioners had been directed to clear the outstanding dues/amount of taxi operators alongwith schedule of payment of ground rent shown due to taxi stand on revised rates, which is totally against the law, unjust and without any

justification. He has submitted that the petitioners are old taxi operators in Chandigarh and there are total 62 taxi stands which are operating from different Sectors in UT Chandigarh and out of which 20% taxi stands are operating prior to the formation of the Municipal Corporation. He has submitted that the petitioners are not able to earn their livelihood by getting local customers because of other taxi operators like Ola, Uber operating in the city. He has further submitted that the petitioners are ready to pay the dues at the old rate, but the respondents have increased the same without giving any opportunity of hearing to the petitioners.

Notice of motion.

Ms. Madhu Dayal, Advocate, accepts notice on behalf of respondents No.2 to 4.

After hearing learned counsel for the parties, the present petition is disposed of with a direction to respondent No.2 i.e. Commissioner, Municipal Corporation, Chandigarh to treat the present petition as a representation and decide the same as per law within a period of 10 days from today. Till then no coercive action shall be taken against the petitioners.

Copy of order be given dasti to learned counsel for the petitioners under the signature of Bench Secretary of this Court.

06.09.2023
sharmila

(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No