

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

CWP-24418-2023

Date of decision : 31.10.2023

Dr. Rajbir Singh and another

.....Petitioners

versus

Union of India and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Rajiv Atma Ram, Senior Advocate with
Mr. Arjun Pratap Atma Ram, Advocate
Mr. Dhiraj Jindal, Advocate and
Mr. Surinder Kumar Rohilla, Advocate
for the petitioners.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for quashing the impugned notice of demand dated 01.08.2023 (Annexure P-8) issued by the respondents to the petitioners. Further prayer has been made for summoning and quashing the Standard Table of Rents (STR 2019-2020) as referenced in the impugned demand notice dated 01.08.2023 (Annexure P-8). Further prayer has been made directing the respondents to pass orders on the application dated 04.04.2019 (Annexure P-5) of the petitioners and in case of an adverse order, directing the same to be kept in abeyance for a period of two weeks to enable the petitioners to avail their legal remedies.

Learned Senior counsel for the petitioners has *inter alia* contended that the petitioners are aggrieved of the impugned notice dated 01.08.2023 (Annexure P-8). He has submitted that in the garb of said notice, respondents have virtually passed order for the vacation of the

demised premises. He submits that the petitioners have no other remedy under the Act except approaching this Court by way of filing the present petition. He submits that for the redressal of their grievance, petitioners have already filed their representation dated 05.09.2023 to the Defence Estates Officer, Jalandhar Circle, Jalandhar Cantt. but no decision thereon has been taken by the respondents till date. He submits that the petitioners are in possession of the property since 1919.

Notice of motion.

Mr. Sunil Kumar Sharma, Advocate and Mr. Lalit Attri, Advocate accepts notice on behalf of the respondents. It is submitted by them that the petitioners were issued the impugned notice three months prior. It is further submitted that the representation filed by the petitioners though has not been decided till date but the same would be decided expeditiously.

After hearing counsel for both the sides, present petition is disposed of with a direction to respondent No.4 to decide the representation dated 05.09.2023 (Annexure P-10) within four weeks from today. The decision taken by respondent No.4 would be conveyed to the petitioners/counsel for the petitioners and reasonable time be granted to him before taking any action, in case any adverse order is passed against the petitioners. Status quo as on date would be maintained till the decision of the representation is taken by respondent No.4.

(RAJESH BHARDWAJ)
JUDGE

31.10.2023
m. sharma

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