

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-1313-2024
Date of decision : 09.02.2024

Gurdayal Singh and othersPetitioners

versus

State of Haryana and others Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Pankaj Nanhera, Advocate and
Mr. Rahul Gautam, Advocate
for the petitioners.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for quashing the impugned order dated 06.03.2023 (Annexure P-8) vide which the claim of the petitioners for getting their shops on freehold basis has been rejected (i) as similarly situated shop No.54 has already been granted relief under the said policy by way of conveyance deed dated 20.08.2022 (Annexure P-7) and (ii) further as the case of the petitioners is squarely covered under the policy dated 01.06.2021 (Annexure P-2) and the shops of the petitioners do not fall in the definition of encroachment as the same have been on lease with the Faridabad administration since 1980s. Further prayer has been made for directing the respondent-Municipal Corporation, Faridabad to accept the applications of the petitioners to get their shops freehold under the above-mentioned policy dated 01.06.2021 (Annexure P-2).

Further prayer has been made for quashing and staying order dated

08.04.2022 (Annexure P-4) during the pendency of the present petition vide which the petitioners have been directed to pay exorbitant revised yearly lease rent.

Learned counsel for the petitioners submits that for the redressal of their grievances, petitioners have filed representation dated 20.03.2023 (Annexure P-9) before the Commissioner, MCF Faridabad, Haryana but the same has not been taken into consideration by the respondents till date.

Notice of motion.

On asking of the Court, Mr. Rajesh Gaur, Addl. AG, Haryana accepts notice on behalf of the respondents-State.

After hearing counsel for the parties and perusing the record, the Commissioner, MCF Faridabad, Haryana is directed to decide the representation dated 20.03.2023 (Annexure P-9) filed by the petitioners expeditiously preferably within one month from today in accordance with law. *Status quo* as on date be maintained till the disposal of the representation.

In view of the above, present petition is disposed of.

(RAJESH BHARDWAJ)
JUDGE

09.02.2024
m. sharma

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