

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP No.2864 of 2024  
Date of decision : 09.02.2024

Dharam Pal Bangar ..... Petitioner

Versus

The Estate Officer, Nangal, Rupnagar, Punjab and others  
..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

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Present: Mr. Binat Sharma, Advocate  
for the petitioner.

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RAJESH BHARDWAJ, J. (Oral)

Present writ petition has been filed for quashing the notice dated 24.05.2023 (Annexure P-23) issued under Section 4(2)(b)(ii) and Section 7(2-A) of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 and all subsequent proceedings arising thereof being arbitrary, illegal, abuse of process of law and issued without any authority under Section 3 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971. Further prayer has been made for directing respondents No.2 to 3 to decide the representations dated 28.05.2012 (Annexure P-6) and 09.01.2023 (Annexure P-20) in a similar manner as other similarly situated shopkeepers are given by the respondents in the years 2017 by transferring lease in their favour.

Learned counsel for the petitioner has submitted that for the redressal of the grievance of the petitioner, he has already filed representations dated 28.05.2012 (Annexure P-6) and 09.01.2023

(Annexure P-20) before respondent No.3 but no action has been taken on the same till date.

Notice of motion to the official respondents at this stage.

On asking of the Court, Ms. Akshita Chauhan, DAG, Punjab appears and accepts notice on behalf of respondent-State and has stated that for the redressal of his grievance, the petitioner should file representation before respondent No.1.

Learned counsel for the petitioner submits that the petitioner be granted liberty to file a fresh representation before respondent No.1 i.e. the Estate Officer, Nangal, Rupnagar and he be directed to decide the same expeditiously.

After hearing both the parties and perusing the record, the present petition is disposed of with liberty to the petitioner to file his appropriate representation before respondent No.1 as prayed for within a period of one week from today. If any such representation is filed by the petitioner within the stipulated period, then respondent No.1 i.e. the Estate Officer, Nangal, Rupnagar is directed to decide the same in accordance with law within a period of four weeks from the date of its filing.

It is made clear that no coercive action against the petitioner shall be taken till the decision of the representation.

09.02.2024  
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(RAJESH BHARDWAJ)  
JUDGE

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