

2024:PHHC:137992



IN THE PUNJAB AND HARYANA HIGH COURT AT  
CHANDIGARH.

105

CWP-14868-2024 (O&M).  
Date of Decision: 22.10.2024.

M/S ASHOK ENTERPRISES

... Petitioner

Versus

UNION OF INDIA AND OTHERS

... Respondents

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

Present: Mr. Nakul Sharma, Advocate,  
for the applicant-petitioner.

Mr. Somesh Gupta, Senior Panel Counsel  
for the respondents/Union of India.

VINOD S. BHARDWAJ, J. (ORAL)

CM-15770-CWP-2024

Application is allowed as prayed for subject to all just  
exceptions.

Annexures P-30 and 31 are taken on record.

The Registry is directed to tag the same at an appropriate place.

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CM-15771-CWP-2024

The instant application has been filed under Section 151 of the Code of Civil Procedure, 1908 on behalf of the applicant-petitioner praying for preponement of the date of hearing in the main case which is stated to be listed for hearing on 02.12.2024.

Notice in the application.

Mr. Somesh Gupta, Senior Panel Counsel, accepts notice in the application on behalf of the respondents/Union of India and submits that he has no objection in case the main case is preponed from 02.12.2024 to today itself.

In view of above, the instant application is allowed and the main case is taken on board today itself.

Main case

Challenge in the present petition was to the letters/orders dated 31.10.2023 (Annexures P-18 and P-19) passed by respondents No.6 and 9 vide which the petitioner has been directed to close the Stall No.6 on Platform No.2/3 at Pathankot Cantt. Railway Station on account of non-payment of license fee.

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On 03.07.2024, notice was ordered to be issued to the respondents subject to the petitioner clearing all the entire outstanding dues. The order dated 03.07.2024 reads as under:-

*“Notice of motion for 27.08.2024 subject to the petitioner clearing the entire outstanding dues, as demanded, within a period of four weeks from today and without prejudice to his right of seeking reconciliation of the accounts.*

*Needless to mention that in the event the entire dues are not cleared within the abovesaid time period, the present writ petition shall be deemed to be dismissed.”*

It remains undisputed that the needful has not been done by the petitioner so far.

The present petition is accordingly dismissed for non-compliance of the order dated 03.07.2024 passed by this Court.

Since the main petition itself has been dismissed as aforesaid, the misc. applications (CM-15772-CWP-2024 and CM-15773-CWP-2024) seeking stay of the order dated 31.07.2024 passed by respondent No.6 as well as seeking extension of order dated 03.07.2024 respectively, also stand dismissed.

October 22, 2024  
raj arora

(VINOD S. BHARDWAJ)  
JUDGE

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