



CWP-17718-2024

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

CWP-17718-2024**Date of decision: 30.07.2024**

Mohinder Partap Singh and another

....Petitioners

Versus

Union Territory, Chandigarh and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr. Kanwal Goyal, Advocate, and
Ms. Sheena Dahiya, Advocate,
for the petitioners.

ARUN PALLI, J. (Oral)

Learned counsel for the petitioners submits that in essence, and for the present, the petitioners are aggrieved by an order dated 10.11.2023 (P-2), passed by the Sub Divisional Magistrate (East), U.T., Chandigarh (respondent No.4), vide which, demolition of the alleged violations/deviations, that exist in House No.92, Sector-18/A, Chandigarh, were ordered. He asserts that petitioners had assailed the said order in an appeal, which was dismissed by the Appellate Authority, vide order dated 12.04.2024 (P-1). It is submitted that against the said order(s), the petitioners have preferred a revision under Section 10 (4) of the Capital of Punjab (Development and Regulation) Act, 1952, along with a prayer for interim stay, which is pending consideration before the Advisor to the Administrator, U.T., Chandigarh, and is fixed for 03.10.2024. However, in the interregnum, pursuant to the impugned order, the District Magistrate, vide order dated 17.07.2024 (P-14), had directed the officials to disconnect the electricity/water connection provided to the house in question, as also to demolish the violations/deviations that exist at site. Thus, it is submitted that on the one hand, the revision preferred by the petitioners, as also their prayer for interim stay, is being kept pending since 23.05.2024. Whereas, on the other, the violations/deviations that allegedly exist in respect of the



subject property, are sought to be demolished. Therefore, it is urged that in the event, demolition is carried out, not only the revision filed by the petitioners would be rendered infructuous, but they would also suffer an irreparable loss. Rather, he asserts that the indecision, at the end of the competent authority, has resulted in the situation the petitioners are faced with.

Served with the advance copy of the petition, Mr. Jaivir Chandail, Additional Standing Counsel, along with Mr. Rohit Kaushik, Panel Counsel, for the respondent-U.T., Chandigarh, is present in Court. At the outset, he, on instructions, submits that the competent authority has taken cognizance of the matter and has also kept the impugned order dated 10.11.2023 (P-2) in abeyance, till the decision of the revision preferred by the petitioners.

That being so, learned counsel for the petitioners submits that nothing substantive survives in the petition and the same be disposed of, in terms of the statement made by learned counsel for respondents.

In the wake of the position sketched out above and in terms of the statements made by learned counsel for the parties, the petition is accordingly disposed of.

This Court is sanguine that the Revisional Authority shall take up and examine the matter in the right earnest, on the date fixed. And the appropriate orders, assigning reasons in support thereof, shall be passed at the earliest.

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated above, the competent authority shall examine the concerns/grievances of the petitioners, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

30.07.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No