

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-27900-2019
Date of decision: 29.04.2024

Yogita Upadhayay and othersPetitioners

Versus

Union of India and othersRespondents

2) CWP-9396-2021

Sada ShivPetitioner

Versus

Union of India and othersRespondents

3) CWP-6596-2021

Surender Kumar SainiPetitioner

Versus

Union of India and othersRespondents

4) CWP-31175-2019

Vishva Nath Sharma and othersPetitioners

Versus

Union of India and othersRespondents

5) CWP-867-2020

Roshan LalPetitioner

Versus

Union of India and othersRespondents

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

Present: Mr. Balwinder Sangwan, Advocate,
for the petitioners (in CWP-27900-2019).

Mr. Dinesh Maurya, Advocate,
for the petitioners (in CWP-9396 and 6596-2021).

Mr. Sandeep Singal, Advocate,
for the petitioners (in CWPs-31175-2019 and 867-2020).

Mr. Satya Pal Jain, Additional Solicitor General of India,
Mr. Karan Kumar Jund, Senior Panel Counsel,
for the respondent-Union of India.

Mr. J.S. Chandail, Additional Standing Counsel,
for the respondent-U.T., Chandigarh.

Mr. Gaurav Mohunta, Additional Standing Counsel,
Mr. Naman Jain, Advocate,
for the respondent No.5 (in CWP-6596-2021).

Mr. B.S. Khehar, Advocate,
for respondents No.2 to 4 (in CWP-9396-2021).

ARUN PALLI, J. (Oral)

For, learned counsel for the parties are *ad idem* that the matter in issue in this bunch of five petitions is identical, these are being disposed of by a common order and judgment. However, the facts are being derived from CWP No.27900-2019.

A Certiorari is prayed for, to quash the notice dated 20.06.2019 (P-1), issued under Section 12(2) of the Punjab New Capital (Periphery) Control Act, 1952 (the Act). For the petitioners were alleged to have constructed “Rehaishi Makaanaat Tin Shed” in agricultural land of village Khuda Ali Sher, and thus, violated the provisions of Sections 5/6/11 of the Act.

We had heard learned counsel for the parties at length, when during the course of hearing, they have reached a consensus: pursuant to the impugned show causes notice(s), the petitioners had submitted their response and the matter is now pending before the competent authority for 12.06.2024. Thus, it would be expedient, if these petitions are disposed of, at this stage, to enable the petitioners to appear before the authority on the appointed date (12.06.2024), and pursue their claim. However, as the interim orders passed by this Court continue to operate to date, *status quo*, as it exists today, shall be maintained till any formal orders, pursuant to the impugned show cause notice(s), are passed by the authorities. Further, the petitioners shall also be at liberty to furnish any fresh material/documents to supplement/support their claims within a week from today. Which shall be taken into account, while passing the final orders by the competent authority.

In the wake of the position sketched out above and the consensus that has been arrived at between the learned counsel for the parties, the petitions are, accordingly, disposed of.

This Court is sanguine that the authorities shall look into the matter in the right earnest. And a comprehensive order, citing reasons in support thereof, shall be passed, as early as possible.

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

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

29.04.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No