

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

CWP-28226-2019

Date of decision: 29.04.2024

Dalip Kumar

....Petitioner

Versus

Union of India and others

....Respondents

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

Present: Mr. M.L. Saggar, Senior Advocate, with
Ms. Armaan Saggar, Advocate,
for the petitioner.

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.

ARUN PALLI, J. (Oral)

Learned counsel for the U.T., Chandigarh, at the outset, submits that since despite having been served with a show cause notice, the petitioner choose not to submit any response, though he appeared before the competent authority on the appointed date, the impugned order of demolition was passed. However, he submits that no demolition was carried out, owing to an interim order dated 30.09.2019, granted by this Court. Be that as it may, he fairly submits, for the connected cases have been disposed of vide a separate order of even date to enable the authorities to examine the matter conclusively, it would be expedient if this petition too shall be disposed of, to enable the petitioner to appear before the competent authority on the same date, i.e. 12.06.2024. Further, the petitioner shall also be at liberty to furnish any fresh material/documents to supplement/support his claim within a week from today. Whereafter, the competent authority, after affording due

opportunity of hearing to the petitioner, shall pass a formal order, in accordance with law. Thus, in the given circumstances, he submits that the impugned order dated 10.09.2019 (P-2), be deemed to have been withdrawn/recalled.

That being so, learned Senior counsel for the petitioner submits that let this petition be disposed of, in terms of the statement made by learned counsel for the respondent-U.T., Chandigarh.

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 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 petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

29.04.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No