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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

1. CWP-26793-2021
Decided on :20.05.2024

Balbir Singh Brar and another . . . Petitioners
Versus
State of Punjab and others . . . Respondents

2. CWP-17741-2020
Balwinder Pal Singh . . . Petitioner
Versus
State of Punjab and others . . . Respondents

3. CWP-17754-2020
Hamesh Mittal . . . Petitioner
Versus
State of Punjab and others . . . Respondents

4. CWP-17792-2020
Paramveer Singh Bahia . . . Petitioner
Versus
State of Punjab and others . . . Respondents

5. CWP-17822-2020
Dr. Shivani Bansal

CWP-26793-2021 and
other connected cases

[2]



... Petitioner

Versus

State of Punjab and others

... Respondents

6.

CWP-18614-2020

Bhupinder Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

7.

CWP-18627-2020

Deepak Kurmi

... Petitioner

Versus

State of Punjab and others

... Respondents

8.

CWP-20450-2020

Gursewak Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

9.

CWP-22055-2020

Arun Kumar

... Petitioner

Versus

State of Punjab and others

... Respondents

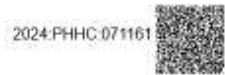
10.

CWP-22057-2020

Pawan Kumar Makkar

CWP-26793-2021 and
other connected cases

[3]



... Petitioner

Versus

State of Punjab and others

... Respondents

11.

CWP-22058-2020

Manish Kumar Bansal

... Petitioner

Versus

State of Punjab and others

... Respondents

12.

CWP-22069-2020

Vishal Muradia

... Petitioner

Versus

State of Punjab and others

... Respondents

13.

CWP-22123-2020

Raj Kumar

... Petitioner

Versus

State of Punjab and others

... Respondents

14.

CWP-22143-2020

Kamal Singla

... Petitioner

Versus

State of Punjab and others

... Respondents

15.

CWP-22193-2020

Gurpreet Singh Bhullar

CWP-26793-2021 and
other connected cases

[4]



... Petitioner

Versus

State of Punjab and others

... Respondents

16.

CWP-3377-2021

Baljeet Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

17.

CWP-56-2021

Harjeet Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

18.

CWP-123-2021

T. K. Gupta and others

... Petitioners

Versus

State of Punjab and others

... Respondents

19.

CWP-83-2021

Manohar Lal and others

... Petitioners

Versus

State of Punjab and others

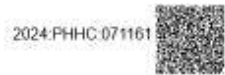
... Respondents

20.

CWP-88-2021

CWP-26793-2021 and
other connected cases

[5]



Sham Lal Goyal and others
Versus
State of Punjab and others
... Petitioners
... Respondents

21. CWP-67-2021

Krishan Chand Garg and others
Versus
State of Punjab and others
... Petitioners
... Respondents

22. CWP-10930-2021 (O&M)

Niranjan Singh Sandhu and another
Versus
State of Punjab and others
... Petitioners
... Respondents

23. CWP-10307-2021 (O&M)

Bhag Singh and others
Versus
State of Punjab and others
... Petitioners
... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Hitesh Verma, Advocate for the petitioners.
Ms. Amrita Garg, AAG, Punjab.
Mr. Prateek Gupta, Advocate and
Mr. Nitin Gupta, Advocate for respondent Nos. 2 and 3.

VIKAS BAHL, J. (ORAL)



1. This order will dispose of a bunch of 23 writ petitions as common questions of law and facts arise. The lead case is taken up as CWP-26793-2021.

2. Prayer made in the present writ petition is for quashing the impugned resolution dated 07.10.2020 (Annexure P-3) passed by respondent No.2 and impugned orders dated 18.05.2021 (Annexure P-4) and 11.10.2021 (Annexure P-5) passed by the respondents vide which the petitioners have been ordered to vacate the premises in question. Similar prayers have been made in the other writ petitions also.

3. Learned counsel for respondent Nos.2 and 3 has submitted that the orders of vacation have been passed in accordance with law.

4. Learned counsel for the petitioners has submitted that there are peculiar facts with respect to every petitioner which entitles him/her to continue being in the possession of the premises in question. It is further submitted that each of the petitioners would submit a representation within a period of 10 days from today to respondent No.3-House Allotment Committee bringing out all the said peculiar facts and has submitted that respondent No.3 be directed to consider the said representation in accordance with law and till the time, the said decision is taken, the interim order granted by the Co-ordinate Bench of this Court restraining the petitioners from being dispossessed from the allotted houses, be continued.

5. Learned counsel for respondent No.2 and 3 has submitted that in case any such representation(s) are made, then same would be decided within a period of three weeks from the date of receipt of the said representation(s) and has further submitted that the continuation of interim



order(s) should not be construed as an opinion on the merits of the case(s) and respondent No.3 would independently consider the representations in accordance with law and pass speaking order(s) on the same. It is further submitted that in case the authorities were to reject the claim(s) of the petitioners, then in that case, the interim order(s) would come to an end on the date of passing of the said order(s).

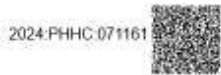
6. Keeping in view the abovesaid facts and circumstances, the present writ petitions are disposed of with the following observations:-

(i) It would be open to the petitioners to give individual representation(s) to respondent No.3 within a period of 10 days from today.

(ii) Respondent No.3 would independently consider the said representation(s) and in case, the pleas raised by the petitioners are found to be meritorious then the respondent No.3 would grant necessary relief, in accordance with law and in case, respondent No. 3 is of the opinion that the pleas raised by the petitioners are meritless then speaking order(s) rejecting the said representation(s) be passed within a period of three weeks from the date of receipt of the said representation(s).

(iii) The interim order(s) granted by the Coordinate Bench of this Court i.e. “stay of dispossession”, would continue till the time, the final decision is taken by respondent No.3. Needless to say, in case, the case(s) of the petitioner(s) are rejected, then the said interim order(s) would come to an end.

(iv) It is made clear that in case the petitioner(s) do not give individual



representation(s) to respondent No.3 within a period of 10 days from today then the writ petition(s) qua the said petitioner(s) would be deemed to be dismissed and it would be open to the respondent authorities to take possession of the house(s) in question from the said petitioner(s) in accordance with law.

7. This Court has not opined on the merits of the case(s) and the respondent No.3 would take independent decision on the same, in accordance with law.

8. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

20.05.2024
Pawan

(VIKAS BAHL)
JUDGE

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