

119 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-21881-2023

Date of Decision:13.02.2024

Gurjinder Singh and others

..... Petitioners

Versus

The Chandigarh Administration, Chandigarh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr.Sanjiv Gupta, Advocate, for the petitioners.

Mr. Shreenath A. Khemka, Advocate, for
respondent No.1-UT.

Ms. Madhu Dayal, Advocate, for respondents No.2 to 4.

Rajesh Bhardwaj, J. (ORAL)

Prayer in the present petition is for quashing of the impugned order dated 18.09.2023 (Annexure P-21) vide which the claim of the petitioners has not been considered properly without even referring to the previous background and exorbitant rent has been put alongwith 24% interest and 18% GST without any justification and without giving any opportunity of hearing to the petitioners in defiance to the direction issued by this Court in CWP-19838-2023 (Annexure P-12) dated 06.09.2023 and the respondents may kindly be restrained from taking possession or from cancelling the allotments or in alternative, any coercive action thereon may kindly be stayed.

Learned counsel for respondents No.2 to 4 has submitted that the Corporation has already reduced the interest on rent from 24% to 10% and the time period for making the payment of rent has also been extended uptill 31.12.2024 and rent of the Covid period has also been waived off and as such the petitioners are left with no cause of action and thus, the present petition has been rendered infructuous and is liable to be dismissed as such.

Learned counsel for the petitioners has submitted that the petitioners and other taxi operators have already deposited an amount of Rs.3 crores approximately with the Corporation and are making every effort to settle the remaining issues. He has affirmed the submissions made by learned counsel for respondents No.2 to 4 and has stated that there are still some surviving grievances of the petitioners which have not yet been redressed by the respondents. He submits that the petitioners be granted liberty to file a fresh representation before respondent No.2 i.e. the Commissioner, Municipal Corporation, Chandigarh and he be directed to decide the same after hearing the petitioners in a time bound manner.

After hearing both the parties and perusing the record, the present petition is disposed of with liberty to the petitioners to file their appropriate representation detailing their grievances before respondent No.2 as prayed for within a period of two weeks from today. If any such representation is filed by the petitioners within the stipulated period, then respondent No.2 i.e. the Commissioner, Municipal Corporation, Chandigarh is directed to decide the same in accordance with law within a period of four weeks from the date of its filing.

13.02.2024
sharmila

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No

(RAJESH BHARDWAJ)
JUDGE