

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Date of decision: 15.04.2024

1. C.W.P. No. 971 of 2024

Bimla Devi

.... Petitioner

Vs.

State of Haryana and others

.... Respondents

2. C.W.P. No. 6204 of 2020

Enu Singh

.... Petitioners

Vs.

State of Haryana and others

.... Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE GURBIR SINGH**

Present: Mr. Aman Pal, Advocate
for the petitioner (in CWP-971-2024) and
for respondent No.8 (in CWP-6204-2020)
Dr. Surya Parkash, Advocate
for the petitioner (in CWP-6204-2020).
Mr. Ankur Mittal, Addl. A.G. Haryana with
Mr. Karan Jindal, Asstt. A.G. Haryana
for the respondent-State.
Mr. Ankur Mittal, Advocate with
Ms. Kushaldeep Kaur, Advocate
for the respondent-MC, Panchkula (in CWP-6204-2020).
Mr. Deepak Sabherwal, Advocate
for the respondent-HSVP.
Ms. Paramjeet Kaur, Advocate
for respondents No. 5 to 7 (in both the petitions)

ARUN PALLI, J (Oral)

Vide this order and judgment, and with the consent of the learned counsel for the parties, we shall dispose of these two writ petitions (CWP-971-2024 and CWP-6204-2020). However, the facts are being derived from CWP No.971 of 2024.

On 31.01.2024, while issuing notice of motion, this Court had passed the following order:-

“Learned counsel for the petitioner submits that in an apparent violation and disobedience to the decree dated 25.03.2009 (P-11), passed by the Civil Court, as also the order dated 01.02.2021 (P-18), whereby in civil suit No.56/2021, filed by the petitioner, the Court had ordered status quo, the respondent authorities have demolished his house. And thereafter, sealed the premises.

Notice of motion.

Served with the advance copy of the petition, Mr. Deepak Sabherwal, Advocate for the respondent-HSVP, is present in Court and accepts notice. He prays for a short accommodation to seek instructions and submit response.

Adjourned to 05.02.2024.

To be heard with CWP-6204-2020.”

Subsequently, learned counsel for the respondent authorities, as prayed for, was granted time to furnish an affidavit, for we were informed that respondents were ready/willing to re-consider the matter in its entirety and pass necessary orders. Accordingly, an affidavit of the Administrator, Haryana Shahri Vikas Pradhikaran, Panchkula, has been filed in Court today, which is taken on record. Copy furnished.

Learned counsel for the respondents refers to the averments set out in paragraph 6 thereof, which reads as thus:-

6. That it is respectfully submitted that the Estate Officer can again afford an opportunity of hearing to the petitioner and consider all the grounds raised in the present writ petition and pass fresh orders thereafter in accordance with law, in case the liberty is granted by this Hon’ble Court.

Therefore, it is submitted that let both the petitions be disposed of to enable the competent authority to re-visit the matter in issue and pass

fresh orders, in accordance with law. Further, learned counsel for the respondents submits that before any formal orders are passed in this regard, the petitioners as also the other stake holders would be heard. And formal communication in this regard shall be duly served upon them, well in advance. Resultantly, he submits that impugned orders dated 13.07.2023 (P-23) and 22.09.2023 (P-26), particularly in the wake of the affidavit (*ibid*) filed by the Administrator, HSVP, Panchkula, be deemed to have been withdrawn/recalled.

In response, learned counsel for the petitioner(s) submits that let these petitions be disposed of in terms of the statement made by learned counsel for the respondents as also the affidavit referred to above.

In view of the above conspectus and in terms of the statements made by learned counsel for the parties, both the petitions stand disposed of.

This Court is sanguine, as undertaken by learned counsel for the respondent, the competent authorities shall re-examine the matter in the right earnest, and pass comprehensive orders, in accordance with law, assigning reasons in support thereof, as expeditiously as possible.

(ARUN PALLI)
JUDGE

(GURBIR SINGH)
JUDGE

15.04.2024
deepak

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