

CM-5120-2025
in/and
RA-CW-163-2025
in CWP-4096-2023

2025:PHHC:061543-DB



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

**CM-5120-2025
in/and
RA-CW-163-2025
in
CWP-4096-2023
Reserved on 25.04.2025
Date of decision: 09.05.2025**

M/s Rebel Hospitality

....Petitioner

Versus

Chandigarh Administration and others

..Respondents

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present:- Mr. Gurminder Singh, Sr. Advocate
with Mr. Akshay Mittal, Advocate
Mr. Ivan Singh Khosa, Advocate
Mr. Shivam Grover, Advocate and
Ms. Bhumika Sachan, Advocate
for the applicant-petitioner

Mr. Sanjiv Ghai, Advocate
for respondent -UT, Chd.

Mr. N.S. Boparai, Advocate
Mr. Bikram Singh Dhillon, Advocate
Mr. Pradeep Singh, Advocate
for respondent no.7

ANIL KSHETARPAL, JUDGE

1. The petitioner seeks review of a detailed judgment passed on
28.02.2025 on the following two grounds:-

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i) the senior counsel representing the petitioner did not make submissions in the present writ petition as a batch of seven writ petitions was heard together.

ii) This Court has proceeded to decide the matter without waiting for compliance report of the affidavit dated 13.07.2022 filed by the Assistant Estate Officer before the Supreme Court.

2. A perusal of the record proves that the judgment in a batch of connected seven writ petitions after hearing detailed arguments of all the counsels including six senior counsels was reserved on 18.12.2024. Six writ petitions were decided vide judgment dated 17.01.2025 whereas a separate judgment in CWP-4096 of 2023 was delivered on 28.02.2025. In para 6 of the judgment, the arguments of the learned counsel representing the petitioner have not only been noted but also analysed in the latter part of the judgment. Learned counsel representing the UT, Administration as well as private respondents did file their written submissions, which were also considered. Hence, the submission of the learned senior counsel that this writ petition was decided without hearing is not borne out from the record.

3. Even with respect to second submission, the learned senior counsel representing the applicant is factually incorrect. In the affidavit dated 13.07.2022 filed before the Supreme Court, the Assistant Estate Officer had disclosed that the Chief Architect will examine the issue and submit a report to the Administration with regard to retractable roof in the backyard of the buildings. Thereafter, on the recommendations of the

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Heritage Committee, submitted on 14.09.2023, the Chandigarh Administration took a conscious decision not to permit installation of retractable roof in the backyard of the showrooms located in Sectors 7 and 26, Chandigarh.

4. Consequently, the review application lacks merit. Hence, dismissed.

5. All the pending miscellaneous applications, if any, are also disposed of.

**(ANIL KSHETARPAL)
JUDGE
09.05.2025**

rekha

Whether speaking/reasoned : Yes
Whether reportable : No

**(SHEEL NAGU)
CHIEF JUSTICE**