

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-10989-2025 (O/M)

Date of decision : 24.04.2025

Rakesh Kumar

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present :- Mr. C.S. Jattana, Advocate
for the petitioner.

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HARSH BUNGER, J. (ORAL)

1. Prayer in the instant civil writ petition filed under Articles 226/227 of Constitution of India is for issuance of a writ in the nature of mandamus for directing respondent No. 3-Additional Deputy Commissioner (Development)-cum-Chief Executive Officer, Zila Parishad Mansa, Tehsil and District Mansa, to consider and decide the representation dated 16.11.2023 (Annexure P-2), submitted by the petitioner, whereby the petitioner had sought extension of period of agreement of licence dated 01.03.2020 for further period of two years.

2. Learned counsel for petitioner submits that the petitioner had taken Panchayat Bhawan Complex in village Malakpura Kanchla, Bhikhi Main Road, Mansa on lease, vide agreement dated 01.03.2020, however, subsequently, on account of COVID-2019, the petitioner could not utilize the said premises and on that basis, the petitioner is seeking extension of period of lease for a further period of two years.

3. After arguing for some time, learned counsel for petitioner submits that the Zila Parishad, Mansa has already scheduled the auction of the aforesaid Panchayat Bhawan Complex for today itself i.e. 24.04.2025 and the petitioner is also participating in the same. He submits that in case the petitioner remains successful in the said auction, the petitioner would retain the aforesaid Panchayat Bhawan Complex and in case the petitioner remains unsuccessful in the said auction, the petitioner may be afforded 40 days' time from today to vacate the said premises.

4. Notice of motion.

5. At this stage, Mr. Navneet Singh, Senior DAG Punjab, appears and accepts notice on behalf of respondents No. 1 to 3 and does not raise any objection to the said course of action being adopted.

6. Keeping in view the above, instant civil writ petition is disposed of with a direction to respondents that in case the petitioner remains unsuccessful in the auction, which is scheduled for today itself i.e. 24.04.2025, the petitioner be afforded 40 days' time from today to remove his articles and hand over peaceful vacant possession to the concerned Officer/Zila Parishad, Mansa, however, the same shall be subject to filing of an undertaking by the petitioner to the Chief Executive Officer, Mansa, within a period of one week from today, to the effect that on his remaining unsuccessful in the auction, the petitioner would hand over the peaceful and vacant possession of the aforesaid Panchayat Bhawan Complex to Zila Parishad, Mansa. In case the petitioner fails to do so, the authorities may proceed to take possession of the aforesaid premises from the petitioner after serving a notice of one week and, in case, if need so arises, may also take police assistance.

7. Pending application (s), if any, shall also stand closed.

(HARSH BUNGER)
JUDGE

24.04.2025
sjks

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