

2025:PHHC:065317



153

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

**CWP-13842-2025
Date of Decision: 15.05.2025**

Surinder Kaur

..... Petitioner

Versus

District Magistrate-cum-Appellate Tribunal, Union Territory
Chandigarh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Anurag Chopra, Advocate and
Mr. Vardaan Seth, Advocate
for the petitioner.

Mr. M.S. Sidhu, Advocate
for respondents No.1 and 2.

Mr. Aditya Grover, Advocate
for respondent No.3.

HARSH BUNGER J. (ORAL)

Petition herein is, *inter alia*, for issuance of a writ in the nature of Certiorari for setting aside order dated 07.01.2025 (Annexure P-5) passed by the learned Additional Deputy Commissioner-cum-Maintenance Tribunal, U.T., Chandigarh and order dated 15.04.2025 (Annexure P-7) passed by the learned District Magistrate-cum-Appellate Authority.

2. During the course of hearing of the instant matter, parties have

arrived at the following consensus:-

- (i) that the petitioner would be allowed to peacefully reside in the demised premises, i.e. First Floor of House No.1429, Sector 22-B, Chandigarh, before or up to 10.01.2026;
- (ii) that the petitioner and/or her son will not disturb the peace of 98 years old Joginder Singh Kohli (respondent No.3), who is residing at the Ground Floor of the said premises; and
- (iii) that the petitioner and/or her son shall not induct any other person in the demised premises nor create any hindrance/obstruction on the pathways, entrance or any other part of the aforesaid House No.1429, Sector 22-B, Chandigarh.
- (iv) that the petitioner and/or her son shall vacate and hand over vacant possession of the demised premises to respondent No.3 or anyone claiming under him, peacefully; on 10.01.2026 up to 5:00 P.M.

3. Keeping in view the aforesaid consensus arrived at between the parties, which has been duly acknowledged by their respective counsel, the present writ petition is disposed of accordingly, however, subject to the condition that the petitioner and her son shall submit their independent affidavits before the Deputy Commissioner, Chandigarh within a week from today, clearly indicating:-

- (i) that she/he shall not disturb the peace of Joginder Singh Kohli (respondent No.3), who is residing at the Ground Floor of House No.1429, Sector 22-B, Chandigarh;
- (ii) that she/he will not induct any other person in House No.1429, Sector 22-B, Chandigarh nor create any hindrance/obstruction on the pathways, entrance or any other

part of the said house; and

(iii) that she/he shall vacate and hand over vacant possession of the demised premises to respondent No.3 or anyone claiming under him, peacefully; on 10.01.2026 up to 5:00 P.M.

3.1 It is further directed that in case the demised premises is not vacated by the petitioner and/or her son on 10.01.2026 by 5:00 P.M., respondent No.3 or anyone claiming under him shall be at liberty to execute the orders dated 07.01.2025 (Annexure P-5) and 15.04.2025 (Annexure P-7), even by resorting to police help (if required).

4. The instant writ petition is disposed of in the aforestated terms.

5. All pending application(s), if any, shall also stand closed.

15.05.2025
Apurva

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No