

141 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-7098-2025 (O/M)
Date of decision : 12.03.2025

Praveen Kumar Petitioner

Versus

State of Punjab and others Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present :- Mr. Sachmeet S. Randhawa, Advocate
for the petitioner.

Mr. Navneet Singh, Senior DAG Punjab.

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HARSH BUNGER, J. (ORAL)

1. Petitioner (Praveen Kumar) has filed the instant civil writ petition under Articles 226/227 of Constitution of India, inter alia, seeking a writ in the nature of certiorari for setting aside the auction to be held on 12.03.2025 in pursuance to an order passed by Chief Executive Officer, District Council, Gurdaspur.

2. Briefly, the petitioner is stated to have taken Shop No. 9 in the Old Veterinary Hospital (near Canara Bank, Gurdaspur) on lease in public auction at the rate of Rs. 1,500/- per month as per the provisions of Punjab Panchayat Samities And Zila Parishads (Sales, Lease and other Alienation of Property and Public Places) Rules, 1964 (in short '1964 Rules'). The petitioner is stated to have been continuing with the said lease by paying the requisite rent, receipts of which have been attached as Annexure P-3, Colly.

2.1 It is further stated that the petitioner approached the office of respondents many a times for depositing of due rent, but respondents have been delaying the matter and now the aforesaid shop has been put for auction.

3. In the aforementioned circumstances, the petitioner has preferred the instant civil writ petition before this Court.

4. I have gone through the contents of the writ petition and perused the paperbook.

4.1 From a perusal of para-5 of the writ petition, it appears that the petitioner has already been ordered to be evicted from the aforesaid premises by an order passed by District Development and Panchayat Officer, Gurdaspur, copy whereof has not been placed on record, for the reasons best known to the petitioner. Even the date of the order and the contents thereof are not forthcoming in the writ petition.

4.2 It is further borne out from para-9 of the writ petition that the petitioner is stated to have served legal notices dated 27.03.2002 and 31.03.2002 seeking certain relevant information from the Deputy Chief Executive Officer, Zila Parishad, Gurdaspur i.e. about more than 23 years ago.

5. I am constrained to observe that the instant writ petition has been drafted in a very casual manner and the same is completely bereft of foundational facts for claiming reliefs as prayed for therein. Therefore, it is not possible for this Court to adjudicate the same on account of incomplete facts.

6. Accordingly, the present writ petition is dismissed, leaving it open to the petitioner to avail his remedies against the eviction order, if so advised, in accordance with law.

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

(HARSH BUNGER)
JUDGE

12.03.2025
sjks

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