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**CM-50-CWPIL-2023 IN  
CWP-PIL-16-2023 (O&M)**

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**PRITHVI RAJ YADAV****VS.****PUNJAB AND HARYANA HIGH COURT  
ADMINISTRATION AND OTHERS****\*\*\*\***

Present: Mr. G.B.S. Dhillon, Advocate, and  
Mr. J.S. Bhatia, Advocate,  
for the applicant-respondent No. 3.

Mr. Kanwal Goyal, Advocate,  
for respondent No. 1.

Mr. Anil Mehta, Senior Standing Counsel,  
for U.T., Chandigarh with  
Mr. J.S. Chandail, Additional Standing Counsel,  
for respondents No. 2, 4 and 6.

Mr. P.R. Yadav, Advocate, non-applicant/petitioner in person.

Ms. Diya Sodhi, Advocate,  
for respondent No. 5.

**\*\*\*\***

A mentioning has been made on behalf of the applicant-respondent No. 3, regarding keeping the order dated 27.02.2023 in abeyance or recalling the same.

Notice in the application.

Mr. P.R. Yadav, Advocate, who is appearing in-person, accepts notice on behalf of the the non-applicant/petitioner, Mr. Anil Mehta, Senior Standing Counsel, for U.T., Chandigarh with Mr. J.S. Chandail, Additional Standing Counsel, who are present in Court, accept notice on behalf of non-applicants/respondents No. 2, 4 and 6, Mr. Kanwal Goyal, Advocate, who is also present in Court accepts notice on behalf of the non-

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applicant/respondent No. 1 and Ms. Diya Sodhi, Advocate, who is also present in Court, accepts notice on behalf of the non-applicant/respondent No. 5.

The grouse of the applicant-respondent No. 3 is that on account of the order dated 27.02.2023, the Administration as such has ordered for demolition to remove the illegal encroachment/'*Dhabas*' from the Government land in front of the High Court, which is planned for 29.07.2023 and 30.07.2023 at 08:00 A.M.

We have perused the order dated 27.02.2023. Apparently, the reply has not been filed on behalf of the respondent-Administration and only a short reply has been filed on behalf of respondent No. 1.

Keeping in view the tenor of the order, the Administration apparently seems to be going ahead for compliance of the order without bringing the factual matrix before this Court.

Thus, we are of the considered opinion that firstly, pleadings should be completed before any such action is taken. It is not disputed that the premises of the High Court receive a large number of people, both in the form of staff/employees, Advocates, litigants and officials who have to attend the Court proceedings. Without making any alternative arrangements for the said persons who are coming to this Court and without framing any guidelines, it could not be appropriate at this stage to disrupt the present arrangement.

Accordingly, we are of the considered opinion that the order dated 27.02.2023, which was passed did not have the intent as such, that the

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vendors which are sitting around the High Court are to be removed, before the factual matrix in benefit before us.

In our considered opinion, only after the pleadings are complete, the exercise should be completed.

The Administration is also required to look at what facilities it should provide to the large number of peoples who are stated to be around 30,000 who visit the premises on a working day and what amenities are to be provided, in case of such footfall.

Accordingly, let a footfall suggestion come from all the parties as how can the system be streamlined on all fronts including the problem of parking which plagues the area.

Keeping in view the above, the demolition order dated 24.07.2023, passed by the District Magistrate, U.T., Chandigarh, whereby a drive is to be carried out to remove the illegal encroachment/'*Dhabas*' from the Government land in front of the High Court premises on 29.07.2023 and 30.07.2023 at 08:00 A.M. be kept in abeyance, till the next date of hearing.

Adjourned to 29.08.2023, i.e. the date already fixed in the main petition.

In the meanwhile, pleadings be completed.

**(G.S. SANDHAWALIA)  
JUDGE**

**July 28, 2023**  
nitin

**(HARPREET KAUR JEEWAN)  
JUDGE**