

CWPs-PIL-170 & 249-2024 (O&M)

District Bar Association, Malerkotla

Vs

State of Punjab and others

Present:- Mr. S.S. Behl, Advocate,
Mr. Gaurav Vir Singh Behl, Advocate,
for the petitioner in CWP-PIL-170-2024.

Mr. Abhijeet Partap Singh Chaudhary, Advocate,
for the petitioner in CWP-PIL-249-2024.

Mr. Salil Sabhlok, Senior Deputy Advocate General, Punjab.

Mr. Deepak Balyan, Additional Advocate General, Haryana.

Mr. Abhinav Sood, Advocate,
Ms. Mehndi Singhal, Advocate for U.T., Chandigarh.

Mr. Gaurav Chopra, Senior Advocate,
with Mr. Shobit Phutela, Advocate,
for respondent No. 4 – High Court.

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1. The problem of acute shortage of space not only in regard to Court Rooms, but also in regard to residential accommodation of Judicial Officers in the majority of Districts of the States of Punjab and Haryana is the subject matter herein.

2. This Court had been apprised by the U.T. Administration of a detailed and scientific policy (Annexure H) prevalent in the Union Territory, Chandigarh for allotment of residential accommodation to the Executive as well as Judicial Officers.

3. This Court on 20.09.2024 after hearing the parties had issued a writ of mandamus in the following manner:-

“1.2. Thus, the State of Punjab is directed by writ of mandamus to identify and make available alternative accommodations to make up for the deficiencies of court rooms and residences for judicial officers by earmarking and requisitioning State buildings lying vacant in all districts of Punjab, which are suitable and befitting for court room/Judge’s residence.”

4. Thus, the requirement from the State of Punjab was to identify and make available alternative accommodations to make up for the deficiencies of Court Rooms and residences for Judicial Officers by earmarking and requisitioning the State buildings lying vacant in all the Districts of Punjab which are suitable and befitting for Court Rooms/Judges' residence.

5. Learned Senior Deputy Advocate General, appearing for the State of Punjab, seeks time to file an affidavit.

6. Looking to the gravity of the situation and the subject matter where acute shortage of accommodation(s) is adversely affecting the quality of administration of justice, especially, when the new batch of Civil Judges (Entry Level) would be joining within two months, this Court directs that the present incumbents on the post of Chief Secretary of both the States of Punjab and Haryana shall virtually remain present during the course of hearing as and when the case is taken up.

7. A week's time is granted to the States of Punjab and Haryana to file an affidavit failing which coercive steps shall be taken against any of the functionaries of the States of Punjab and Haryana.

8. List on 04.12.2024 at 2.00 P.M.

9. A photocopy of the order be placed in the connected file(s).

(SHEEL NAGU)
CHIEF JUSTICE

(ANIL KSHETARPAL)
JUDGE

27.11.2024
Amodh Sharma