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CWP-PIL-9-2023 (O&M) and connected cases

VINOD DHATTERWAL AND OTHERS

V/S

UNION OF INDIA AND OTHERS

Present: Mr. Aashish Chopra, Senior Advocate with
Mr. Varun Aryan Sharma, Advocate and
Mr. Abhijeet Chaudhary, Advocate for petitioner
in CWP-PIL-9-2023.

Mr. Aashish Chopra, Senior Advocate, with
Mr. Raman Walia, Advocate
Ms. Nitika Sharma, Advocate,
Mr. Varun Aryan Sharma, Advocate,
for the applicant-petitioner in RA-CW-259-2020.

Mr. RS Randhawa, Advocate, for the applicant in
CM No. 10751-2025 in RA CW-252 of 2020.

Mr. Amit Jhanji, Senior Standing Counsel,
with Mr. Jaivir S. Chandail, Additional Standing Counsel,
for U.T., Chandigarh.

Mr. Satya Pal Jain, Additional Solicitor General of India,
with Mr. Dheeraj Jain, Senior Panel Counsel (through v.c.) and
Mr. Arun Gosain, Senior Panel Counsel for Union of India.

Mr. Brijeshwar Singh Kanwar, Senior Panel Counsel (through v.c.)
for respondent No. 4 in CWP-27621-2013.

Mr. Rupinder S. Khosla, Senior Advocate,
with Mr. Yogender Verma, Advocate for HCBA in
CWP No. 27621-2013 and for respondent
in CWP PIL No. 9-2023.

Mr. Kanwaljit Singh, Senior Advocate, with
Ms. Muskan Sharma, Advocate,
for respondent No. 24 in CWP PIL No. 9 of 2023.

Mr. Sandeep Khunger, Advocate for Municipal Council,
Nayagaon.

Ms. Tanu Bedi, Advocate (Amicus Curiae) with
Ms. Arshdeep Kaur, Advocate in RA CW-252-2020
in CWP No. 18253-2009.

Mr. KDS Hooda, Advocate, for respondent No.5
in CWP No. 27621-2013.

Mr. Gaurav Chopra, Sr. Advocate with
Mr. Rajeev Anand, Advocate
for respondent No.9 in CWP-PIL-9-2023.

Mr. Deepak Balyan, Additional Advocate General, Haryana.

Mr. S.S. Narula, Advocate, President, Bar Association,
Punjab & Haryana High Court.

Mr. Nilesh Bhardwaj, Advocate, Vice President, HCBA.

Mr. Gagandeep Jammu, Advocate, Secretary, HCBA.

CM-11641-CWP-2025 in CWP-27621-2013

Application for placing on record affidavit dated 12.08.2025 on
behalf of petitioner is allowed.

Main cases

Affidavit dated 12.08.2025 has been filed on behalf of U.T.,
Chandigarh (in CWP-PIL-9-2023) in the Court.

2. The same is taken on record.

3. In terms of the order passed on the last occasion, Mr. Satya Pal Jain,
Additional Solicitor General of India, was nominated by this Court to preside
over the joint meeting between members of the Bar Association, Punjab and
Haryana High Court, and U.T. Administration. He informs that meeting was held
on 07.08.2025 and discussions on all relevant matters pertaining to holistic plan
were deliberated upon, and for further discussion, the meeting is now scheduled
to be held on 20.08.2025.

3.1. Let the proceedings of the meeting dated 07.08.2025 and the one
scheduled for 20.08.2025, be brought on record on the next date of hearing.

i) As regards Kutcha Parking

4. President of the Bar Association of Punjab and Haryana High

Court, Mr. S.S. Narula informs that the Bar has concurred with the minutes of the Building Committee which had approved the plan regarding kutcha parking.

4.1 The U.T. Administration, therefore, is directed to complete the work of laying green pavers in kutcha parking within sixty days from today.

ii) Allotment of building in Sector-17, Chandigarh for administrative Branches of the High Court

5. In this regard, Mr. Jhanji, Sr. Advocate, appearing on behalf of U.T. Administration informs that the possession has been handed over to the High Court on the previous date of hearing.

5.1 However, counsel for the High Court informs that the Municipal Corporation, Chandigarh has not issued fire safety certificate, which disables the High Court from taking advantage of the possession handed over of the said four floors including basement.

5.2 U.T. Administration is directed to ensure issuance of fire safety certificate by the Municipal Corporation within next one week, failing which this Court will be compelled to implead Municipal Corporation, Chandigarh as party and take action in accordance with law.

iii) Allotment of alternative site for construction of new building

6. Since the meeting between U.T. Administration and the members of the Bar Association of Punjab and Haryana High Court is in conclusive and the remaining deliberations will take place on 20.08.2025, this Court refrains from making any comments or directions in this regard.

7. The directions contained in paragraph 8.1 and 9 of the order dated 01.08.2025 shall be dealt with on the next date of hearing.

8. We have been informed that the offices of Secretariat of U.T., Chandigarh have been shifted to a newly constructed building, leaving the

erstwhile building partially vacant. This Court thus directs the U.T. Chandigarh Administration to explore the possibility of allotting two (2) floors for housing the Branches of the High Court which are facing acute shortage of space in Sector-1, by filing affidavit in this regard.

8.1 The U.T. Chandigarh Administration is expected to adopt a facilitative stance in this regard rather than adversarial.

8.2 After all, the requirement/need/constraints of the High Court are the requirement/need/constraints of the Chandigarh Administration. It goes without saying that judiciary is the third pillar of democracy which can function effectively only when the other two pillars (Executive and Legislature) work *in tandem* with judiciary. The edifice of democracy will crumble if any of the three pillars is weakened. We hope, expect and pray to God that U.T. Chandigarh Administration shall rise to the occasion to ameliorate the genuine grievance of the High Court of acute shortage of space.

8.3 It is pertinent to point out that as against sanctioned strength of 85, the High Court has only 69 operational court-rooms. This dissuades the High Court from working full strength. We thus beseech the U.T. Chandigarh Administration to take a pragmatic view and allow the High Court to expand infrastructurally, by giving approval to the Holistic Plan, be it restrictively.

9. List for further hearing on 22.08.2025.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

13.08.2025
mohit goyal