
(2012) 02 P&H CK 0244
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 11681 of 2011 (O and M)

National Welfare Society Regd.

APPELLANT

Vs

State of Punjab and others

RESPONDENT

Date of Decision : 14-02-2012

Acts Referred:

Citation : (2012) 02 P&H CK 0244

Hon'ble Judges : Ranjan Gogoi, C.J;Mahesh Grover, J

Bench : Division Bench

Judgement

Ranjan Gogoi, C.J.—This Public Interest Litigation has been filed for quashing a resolution of the Municipal Corporation, Amritsar dated 05.02.2010 (Annexure P6) and the agreement dated 12/13.05.2010 (Annexure P8) by and between the Commissioner, Municipal Corporation, Amritsar and the Punjab Heritage and Tourism Promotion Board. According to the petitioner, the aforesaid resolution and agreement reflect a decision with regard to shifting of the office of the Municipal Corporation from the Town Hall and to convert the Town Hall, after renovation, into a heritage hotel. The proposed move, according to the petitioner, ought not to be permitted as the Town Hall is a historic building with all its splendour and glory and needs to be preserved as such.

2. The respondent No. 8, acting through the Superintending Engineer, has filed a written statement dated 17.01.2012 wherein it is, inter-alia, stated that the renovation of the building has to be carried out in view of the age of the same and once the renovation/conservation work is over the same would be used to provide facilities of a museum, library, tourist office etc. In the aforesaid written statement, the Municipal Corporation has specifically denied that there is any move to convert the Town Hall, after renovation, into a hotel.

3. The precise stand of the Municipal Corporation as available in the written statement may be extracted below:-

The respectful submission of the answering respondent is that the Municipal

Corporation has signed the MOU with Punjab Heritage Tourism Promotion Board for shifting the offices of Municipal Corporation to an alternative location and the cost of the construction of new building shall be borne by the Government. Further the conservation and re-use of the Town Hall is being undertaken by the said Board and with regard to the re-use of the building, the answering respondent has received a communication dated 28.10.2011 from the Principal Secretary Tourism-cum-Chief Executive Officer, Punjab Heritage and Tourism Promotion Board, Chandigarh wherein it has been informed that the final decision of re-use of the building, after its conservation, is still pending but the option of converting it into a commercial hotel is not under consideration. It was further informed that it is however proposed to create facilities like city museum, library, archives, tourist office and boutiques for sale of Punjab Handicrafts in the complex and these facilities will ensure that the beauty and historical value of the building is enhanced.

4. Though learned Counsel for the petitioner has prayed for some time, perhaps, to look into the matter and file a rejoinder, we do not consider grant of any further time to be necessary. The stand of the Municipal Corporation before the Court is clear and categorical. The Town Hall needs repair and renovation because of its age (143 years) and after the same is complete, the services that will be provided have been set out in the written statement, as extracted above. There is a categorical denial that there is any move to convert the Town Hall into a hotel, after completion of the renovation work. In such circumstances, the grievances raised by the writ petitioner in this Public Interest Litigation stand self-answered by the stand taken by the Municipal Corporation in the written statement dated 17.01.2012.

5. We, therefore, close this Public Interest Litigation in terms of the stand taken by the Corporation in its written statement dated 17.01.2012 relevant part of which has been extracted above. It will, however, be open for the petitioner to avail of his legal remedies in case any prejudicial action is taken by the Corporation, notwithstanding the stand taken by it in the written statement filed.

6. PIL shall stand disposed of in terms of the above.