

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No.15142 of 2015 (O&M)
Date of Decision: 07.12.2015

Lotus Machines Private Limited.

--Petitioner

Versus

Union Territory, Chandigarh & others

--Respondents

**CORAM:- HON'BLE MR.JUSTICE S.J. VAZIFDAR.
HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.**

Present:- Mr. B.S. Seemar, Advocate for the petitioner.

Mr. Shekhar Verma, Advocate for
respondents no.1 to 5.

Mr. M.L. Sareen, Sr. Advocate with
Ms. Alka Sareen, Advocate for respondent no.6.

S.J. VAZIFDAR, A.C.J. (Oral)

The petitioners have submitted building plans to respondents no.1 to 5. The private respondent i.e. respondent no.6 is entitled to object to the same. The official respondents shall not consider the plans unless and until copies thereof are furnished to respondent no.6 and respondent no.6 is given an opportunity of raising objections thereto. Respondent no.6 contends that the plans cannot even be considered for sanction without his consent. It will be open to the private respondent no.6 to raise this contention as well before the official respondents. If the official respondents uphold this contention it would not even be necessary to consider the petitioners application for sanctioning the plans any further.

The official respondents are always at liberty to seek inspection of the premises in accordance with law. If, the official respondents seek to enforce an order for inspection, respondent no.6 is always at liberty to challenge the same. The apprehension that this order would permit the

official respondents to take inspection irrespective of the provisions of law, is unfounded. Any action by the official respondents must obviously be in accordance with law.

The petition is, accordingly, disposed of.

All the pending applications also stand disposed of.

(S.J. Vazifdar)
Acting Chief Justice

(Tejinder Singh Dhindsa)
Judge

07.12.2015
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