

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.19639 of 2015

Date of Decision: September 16, 2015

M/s Vij Enterprises

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE JASPAL SINGH.

Present: Mr.SPS Tinna, Advocate for the petitioner.
Mr.K.K.Gupta, Additional AG, Punjab.

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- 1· Whether Reporters of Local papers may be allowed to see the judgment?
- 2· To be referred to the Reporters or not?
- 3· Whether the judgment should be reported in the Digest?

Surya Kant, J. (Oral)

Notice of motion to respondent Nos.1, 2, 4 & 5
only at this stage.

On our asking, Mr.K.K.Gupta, learned Additional
Advocate General, Punjab, accepts notice on their behalf.

Let four copies of the writ petition be supplied to
the State counsel during the course of day failing which this
order shall be automatically recalled and the writ petition shall
be deemed to have been dismissed for non-prosecution.

In view of the nature of order which we propose to
pass, it is not necessary to seek any counter-reply from
respondent Nos.1, 2, 4 & 5 or to serve respondent No.3 at this
stage as no order prejudicial to its interest is being passed.

The petitioner is a partnership firm who runs a
Marriage Palace and Resort under the name and style of
'Brighton Pear Resort'. The said Marriage Palace is located on

Fazilka-Sri Ganganagar Highway. The petitioner though had obtained Change of Land Use (CLU) on 19.03.2014 (P-3) but has constructed the Marriage Palace without getting the building-plan sanctioned.

Under the directions issued by this Court in PIL jurisdiction, the State of Punjab has formulated a Policy whereunder the existing Marriage Palaces can be regularized or new Marriage Palace can be set-up subject to fulfillment of the conditions prescribed therein. Since the petitioner did not get the building-plans sanctioned, there is indeed violation of the Government Policy, hence the impugned order sealing the petitioner's premises per se calls for no interference. However, we find from the record (P-7) that soon after the impugned order was passed, the petitioner has applied for the sanctioning of building-plans.

We, thus dispose of this writ petition with a direction to respondent Nos.2, 4 & 5 that whosoever is the Competent Authority and if the building plan is as per the prescribed norms, let an appropriate decision be taken within a period of one month from the date of receiving a certified copy of this order. Needless to say that the petitioner shall be obligated to deposit requisite charges and has to comply with all the terms and conditions contained in the Government Policy and then only necessary permission shall be granted.

Dasti.

[SURYA KANT]
JUDGE

September 16, 2015
mohinder

[JASPAL SINGH]
JUDGE