

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No.23809 of 2015
Date of decision:06.11.2015

Deepak Hans & another

... Petitioners

v.

Union of India & others

... Respondents

CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Vinay Garg, Senior Advocate with
Mr. H.R. Saqib, Advocate and
Mr. Arvind Kashyap, Advocate for the petitioners.

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S.J. VAZIFDAR, ACTING CHIEF JUSTICE.

The petitioners had applied for and were allotted an apartment in the colony being developed by the private respondents. Various allegations have been raised regarding the manner in which the license was obtained and was operated. There are several issues of fact even regarding title. The petitioners allege that the private respondents do not have title to the land which is being developed and in any event did not have title to the land at the appropriate stage.

2. These are issues which would in the first instance be considered by the authorities concerned. The petitioners have made a detailed representation by their letter dated 16.03.2015 inter alia to the Director, Town and Country Planning and to the Director, Ministry of Environment and Forest and to the Secretary, Environment Impact Assessment Authority, Government of Haryana. An application was also made to the Allottees Grievance Redressal Forum in Gurgaon District. Respondent No.5-Director General, Directorate Town and Country Planning shall look into the grievance and allegations contained in their letter dated 16.03.2015 and respond to the same.

3. Needless to add that respondent No.5 would respond to the same after considering the response if any of the private respondents as well. A complaint has also been made to the Grievance Redressal Commission at Annexure P-14. The petitioners are at liberty to make an application to the Commission for taking up the matter if they so desire. Respondent No.6 is requested to consider the complaints as expeditiously as possible, keeping in mind that serious allegations have been made. Same be done by 31.12.2015. Needless to add that the petitioners are always at liberty to challenge the order that may be passed by respondent Nos.5 or 6.

4. The Writ Petition is disposed of accordingly.

(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE

(TEJINDER SINGH DHINDSA)
JUDGE

06.11.2015
harjeet