

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.3474 of 2013

Date of decision:12.1.2015

Bholu Ram Nambardar Enterprises

....Petitioner

VERSUS

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HEMANT GUPTA

HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Sarvjit Singh Khurana, Advocate for the petitioner.

Mr. P.K. Jangra, Additional Advocate General, Haryana.

HEMANT GUPTA, J.(Oral)

The challenge in the present writ petition is to a communication dated 07.09.2012 (Annexure P-6) of the Director, Town & Country Planning, Haryana whereby the request of the petitioner for change of land use for setting up a Warehouse and Godown on the land measuring 29954.83 square meters was rejected for the reason that the proposed site is located in commercial sector of the Draft Development Plan and there is no departmental policy for permission for grant of change of land use within commercial sectors.

Mr. Jangra, learned Additional Advocate General, Haryana, has produced a communication dated 12.01.2015 revising policy for grant of permission of change of land use. As per the revised policy, Warehouse and Storage in the Commercial Zone is contemplated provided the minimum area is 2 Acres and the maximum is 5 Acres.

In view of the said fact, the rejection of the petitioner for change of land use is set aside. It shall be open to the petitioner to revise its request for permission of change of land use within one month from today. The respondents are directed to consider the claim of the petitioner for change of land use afresh within three months.

The writ petition stands disposed of accordingly.

(HEMANT GUPTA)
JUDGE

JANUARY 12, 2014
‘D. Gulati’

(HARI PAL VERMA)
JUDGE