

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

**CWP No. 5135 of 2014
Decided on : 13.05.2015**

Yogender Singh and others

... Petitioners

Versus

State of Haryana and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MRS. JUSTICE REKHA MITTAL**

PRESENT: Mr. Sandeep Sharma, Advocate, for the petitioners.

Ms. Palika Monga, DAG, Haryana.

Mr. Amar Vivek, Advocate and
Ms. Priya Anand, Advocate, for respondent No.3 – HUDA.

Mr. Manav Bajaj, Advocate for
Mr. Sumeet Goel, Advocate, for respondent No.7.

Mr. Adarsh Jain, Advocate, for respondent No.8.

AJAY KUMAR MITTAL, J. (Oral)

The petitioners have approached this Court under Articles 226/227 of the Constitution of India, with the prayer that the respondents be restrained from changing the alignment of the road of Sectors 1 & 2 and 110A & 111, in Gurgaon Urban Estate and further prayer has also been made to construct the road as per the Master Plans 2025 AD (Annexure P-5) and 2031 AD (Annexure P-6).

2. In the written statement filed on behalf of respondents No.1, 4 and 5, in para No.5 of the reply on merits, it has been stated as under:-

“5. That the contents of para No.5 of the petition are admitted to the extent that in the Final Development Plan Gurgaon-Manesar Urban Complex – 2031 AD published vide notification dated 15.11.2012, there is a proposal to

construct the fly over on the railway line so that Sector-1 and 2 and Sector-110A and 111 could be connected directly for smooth flow of traffic. However, it is wrong to allege that the answering respondents have changed the alignment of the road in the 'Z' shape and also dropped the planning to construct the fly over on the railway line. It is submitted that though the alignment of the Sector dividing road of Sector-110A and 111 and Sector dividing of Sector-1 and 2 is slightly staggered but this is primarily on account of physical barrier in the form of a railway line. However, the same cannot stand in the way of fly over the railway line. It is further submitted that the proposal to construct the fly over on the railway line for smooth traffic flow between Sectors-110A and 111 and Sector-1 and 2 as per the Final Development Plan Gurgaon-Manesar Urban Complex – 2031 AD is still there and has not been dropped. Therefore, contention of the petitioners that the road alignment of the above mentioned sector road has been changed by the answering respondent to favour the private builders is wrong, misconceived and hence liable to be rejected. It is reiterated that alignment of the above sector roads has not been changed at any stage.”

3. In view of the aforesaid reply, learned counsel for the petitioners submits that the instant writ petition may be disposed of as infructuous.

4. Ordered accordingly.

(AJAY KUMAR MITTAL)
JUDGE

(REKHA MITTAL)
JUDGE

May 13, 2015
J.Ram