

In the High Court of Punjab and Haryana at Chandigarh

CWP No.24031 of 2015

Date of decision: January 28, 2016

Westen Homes Welfare Society

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. L.S. Mann, Advocate for the petitioner.

Mr. Rajesh Bhardwaj, Additional Advocate General, Punjab.

Mr. Alok Jain, Advocate for respondent No.3-MC Kharar

SURYA KANT, J.

As per the office report, respondents No.1 to 3 and 5 have been served. Mr. Bhardwaj has put in appearance on behalf of respondents No.1 and 2 and Mr. Alok Jain, Advocate on behalf of respondent No.3. Respondent No.4 has not been served due to change of address but its one of the Directors i.e. respondent No.5 stands served. No one appears on behalf of respondent No.5, namely, the contesting respondent. In these circumstances, we proceed to dispose of the case.

The petitioner is a resident welfare association whose

members are said to have purchased plots from the

respondent/builder-cum-developer. It is alleged that the plots have been sold even without getting the building plans approved. It is further alleged that the Deputy Director, Local Government has already asked the Municipal Council, Kharar to ensure that the builder obtains the necessary approval and provide basic amenities to the plot holders, failing which penal action be taken against them. Since the Municipal Council, Kharar is obligated to take the necessary action, we dispose of the writ petition with a direction to respondents No.2 and 3 to hold a fact finding inquiry into the petitioner's allegations and take the desired measures as may be required to be taken under law for the redressal of grievances of petitioner-Society. The needful be done within a period of three months.

(SURYA KANT)
JUDGE

(P.B. BAJANTHRI)
JUDGE

January 28, 2016
jt