

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No. 6792 of 2016
Date of Decision: 11.04.2016

Ranjit

..Petitioner

versus

State of Haryana and others

..Respondents

**CORAM: HON'BLE MR. JUSTICE S.J.VAZIFDAR, ACTING CHIEF JUSTICE.
HON'BLE MR. JUSTICE ARUN PALLI.**

Present : Mr. Sandeep Sharma, Advocate, for the petitioner.

S.J.VAZIFDAR A.C.J. (Oral)

The petitioner has challenged grant of licence by the official respondents in favour of private respondent Nos.4 to 8 under the Haryana Development and Regulation of Urban Areas Act, 1975.

2. The petitioner's case is that he is a co-owner of the property in respect whereof licence has been issued. It is possible that the authorities granted a licence as the revenue record at the relevant time i.e. when the licence was issued on 23.12.2011 reflected a partition. The partition was reflected in the revenue record in the year 2009. The Sub Divisional Magistrate on the petitioner's appeal set-aside the order directing partition. It is not clear as to whether the revenue record reflects the effect of this order. Be that as it may the fact is that the order of partition has been set-aside and the matter has been remanded to the Tehsildar. The matter is pending remand. If the petitioner's contentions in this regard are correct, the authorities themselves would be anxious to adopt corrective measures. However, the petitioner has not even approached the authority concerned in this regard at least in writing as yet. The petitioner must in the first instance

file a complaint/representation to the authority concerned with respect to the

rights and to have the licence withdrawn/revoked. Needless to add that if such a representation is made, the rights and contentions of all the parties including other co-sharers and the licence holders are kept open.

The petition is accordingly disposed of with the liberty as aforesaid.

(S.J.VAZIFDAR)
ACTING CHIEF JUSTICE

11.04. 2016
'ravinder'

(ARUN PALLI)
JUDGE