

CWP No.8396 of 2016

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

CWP No.8396 of 2016
Date of decision: 26.09.2016

Dharampal

....Petitioner

Versus

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE RAMENDRA JAIN**

Present: - Mr. Sushil Jain, Advocate, for the petitioner.
Mr. Gaurav Bansal, AAG, Haryana.

AJAY KUMAR MITTAL, J. (ORAL)

Prayer in this writ petition filed under Articles 226/227 of the Constitution of India is for quashing the impugned notice dated 22.12.2015 (Annexure P-18) issued by respondent No.3 directing the petitioner to remove the construction which according to the respondents is against the statutory permissions.

2. Learned State counsel has submitted that petitioner has a remedy by way of furnishing reply to the said show-cause notice.

3. After hearing the learned counsel for the parties, perusing the paper-book and without expressing any opinion on the merits of the controversy, we dispose of this writ petition by permitting the petitioner to file a detailed and comprehensive reply to the notice (Annexure P-18) within a period of two weeks from today. In case such a reply along with supporting material is filed, same shall be decided by the competent

authority within next two months after affording an opportunity of hearing

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to the petitioner and by passing a speaking order in accordance with law.

4. It is, however, clarified that the interim protection granted by this Court vide order dated 04.05.2016 shall continue till the decision by the competent authority.

5. Needless to say that anything observed hereinabove and the interim order passed by this Court shall not be taken as an expression of opinion on the merits of the controversy.

(AJAY KUMAR MITTAL)
JUDGE

26.09.2016
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No