

HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-12846-2017

Date of Decision: June 01, 2017

Rakesh Kandpal and another

.....Petitioners

Versus

Haryana Urban Development Authority and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE HARI PAL VERMA

- | | | |
|----|---|---------|
| 1. | To be referred to the Reporters or not? | Yes/No |
| 2. | Whether the judgment should be reported in the Digest? | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |

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Present: Ms.Mannu Chaudhary, Advocate
for the petitioners.

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SURYA KANT, J.

Notice of motion.

[2] On our asking, Mr.Deepak Balyan, Additional Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondents. Let three sets of paper-book be handed over to him during the course of day.

[3] In view of the nature of the order which we propose to pass there is no need to seek any reply-affidavit from the official respondents as no order prejudicial to their interest is being passed.

[4] The case of the petitioners in this petition is that they have been allotted Plot No.206, Sector 110-A, Gurugram in lieu of acquisition of their residential house bearing No.C-79, Phase II, New Palam Vihar, Gurugram.

The plot in Sector 110-A has been allotted as per the Final Terms of Settlement between the parties (Annexure P-2).

[5] The grievance of the petitioners is that high tension electric wires are running diagonally over the above mentioned plot in Sector 110-A and they cannot construct the same till such high tension wires are removed.

[6] There appears to be some merit in the petitioners' contention. The writ petition is, accordingly, disposed of with a direction to the Administrator HUDA, Gurugram and the Estate Officer-I, HUDA, Gurugram to take up the matter with the concerned power transmission Corporation and get the high tension wires shifted from all the residential plots so as to enable the petitioners to construct the allotted site. Needful shall be done within a period of three months from the date of receipt of a certified copy of this order.

[7] Till such time, the petitioners shall not be dispossessed from the existing residential house. The period of six months granted to the petitioners to construct the above-cited site shall commence from the date of removal of the high tension wires.

(SURYA KANT)
JUDGE

June 01, 2017
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(HARI PAL VERMA)
JUDGE

1. Whether speaking/reasoned ?	Yes/No
2. Whether reportable ?	Yes/No