

HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-13280-2017

Date of Decision: June 02, 2017

Modern Vidya Niketan Society

.....Petitioner

Versus

The Haryana Urban Development Authority, HUDA and others

.....Respondents

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

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|----|---|---------|
| 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: Mr.Aashish Chopra, Advocate
for the petitioner.

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SURYA KANT, J.

The petitioner-Society runs a school in the name of Modern Vidya Niketan Senior Secondary School, in Sector 17, Faridabad. It alleges that though the gate in question was constructed on the land of the petitioner-Society as per the sanction granted by the Administrator, HUDA, Faridabad, vide Memo No.1317 dated 04.05.1994 (Annexure P-1), the said gate has been demolished purely for arbitrary and extraneous reasons without any show cause notice or advance warning. The reasons behind the unprecedented drive are indicated in para Nos.9 and 10 of the writ petition.

[2] It is, however, pointed out that the gate has been re-erected. In this view of the matter, we do not deem it necessary to probe into the

conduct of the officers/authorities and suffice it would be to direct

respondent No.2 to re-verify the record and if the gate was constructed by the petitioner-society after obtaining permission from the competent Authority, let no harassment be caused to the Management of the school including by demolishing the gate. However, if there is any dispute with regard to legality/sanctioning of the gate, the petitioner shall be at liberty to file a civil suit.

(SURYA KANT)
JUDGE

June 02, 2017
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(HARI PAL VERMA)
JUDGE

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