

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

CWP-16680-2017 (O&M)

Date of decision:- 31.07.2017

Balwan Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, CHIEF JUSTICE
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present:- Mr. N.C. Kinra, Advocate,
for the petitioner.

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S.J. VAZIFDAR, C.J. (ORAL)

The petitioner has challenged the order dated 05.04.2016 passed by the Additional Chief Secretary to Government of Haryana, Town & Country Planning & Urban Estates Department in so far as it imposes penalty in respect of the unauthorized construction which is not compoundable.

2. The petitioner was issued show cause notices and further notices in this regard commencing with a notice dated 23.07.2008. As noted by the impugned order, the petitioner persisted in retaining the unauthorized construction. It is only at the last stage that the petitioner after eight years removed the unauthorized construction.

3. In these circumstances, the imposition of penalty cannot be faulted. The impugned order was passed on 05.04.2016. As a last chance, the petitioner is permitted to deposit the penalty of ₹ 1,50,000/- together with interest thereon at 15% per annum latest by 16.08.2017 failing which the resumption

order shall stand revived without further notice.

4. Liberty, however, to the respondents to apply to have this order modified or vacated in the event of there having been any change in circumstances or any issue that has not been disclosed or could not be disclosed.
5. A copy of this order shall be served upon the respondents by the petitioner forthwith.
6. The writ petition is accordingly disposed of.

(S.J. VAZIFDAR)
CHIEF JUSTICE

(HARINDER SINGH SIDHU)
JUDGE

31.07.2017
Amodh

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No