

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

CWP No. 25948 of 2014 (O & M)

Date of decision : 31.5.2017

M/s WWICS Estates Private Limited

.....Petitioner

v.

State of Punjab and others

.....Respondents

**CORAM HON'BLE MR. JUSTICE MAHESH GROVER
 HON'BLE MR. JUSTICE DR. SHEKHER DHAWAN**

Present : Mr. Puneet Bali, Senior Advocate with
 Mr. Vibhav Jain, Advocate, for the applicant/petitioner

Mr. Gaurav Garg Dhuriwala, DAG, Punjab

Mahesh Grover, J. (Oral)

Learned counsel for the applicant/petitioner states that the entire writ petition can be disposed of in view of Annexure A-9, appended with the application bearing CM No. 6005 of 2017.

It is not in dispute that the applicant has 6.25 acre land where it intends to set up an industrial park, even though the requirement is of 10 acres as per the different policies introduced by the State from time to time. At some point of time, in 2006, the applicant was granted exemption from the requirement of 10 acres.

Learned counsel contends that as per Annexure A-9, the benefit of relaxation has been afforded to him and he is willing to deposit the conversion charges in this regard and hence, he ought to be given the permission to go ahead for the project.

Relevant portion of Annexure A-9 is reproduced here below :-

“On the subject matter, by sending a copy of letter No. CC/JDP/Mega/GSBC/7875 dated 21.12.2006 issued by the Director, Industries & Commerce Department to you, it is requested that

regarding granting sanction to M/s WWICS Estates Pvt. Ltd., to establish an Industrial park in 6.25 acres area under the Government's conversion policy No. 17/17/01-5hg2/836008/1 dated 8.9.2016, further action be taken as per Rules, keeping in view the letter No. CC/JDP/Mega/GSBC/ 7875 dated 21.12.2006 issued by the Director, Industries and Commerce Department.”

We had issued notice of the application, which has not met any response by the opposite party nor has anybody come present to instruct the counsel for the State. The facts have, thus, gone uncontroverted.

Be that as it may, we are of the opinion that exemption was granted to the applicant in the year 2006 as Annexure A-9 would show and the order, never revisited thereafter for more than a decade. The case of the petitioner, thus, has to be considered as per the existing order of 2006 provided if it is willing to abide by the terms and conditions of payment of conversion charges in this regard, to enable the applicant/writ petitioner to set up an industrial park. Keeping in view the aforesaid Annexure A-9, which is not controverted, we deem it appropriate to dispose of the writ petition itself by directing the respondents to take a decision in this regard as per rules, as expeditiously as possible but not later than four weeks from the date of receipt of certified copy of this order.

The petitioner would be at liberty to apprise the respondents by making a detailed representation alongwith a copy of the order.

The petition stands disposed of as above.

(MAHESH GROVER)
JUDGE

(SHEKHER DHAWAN)
JUDGE

31.5.2017
Ashwani

Speaking/Reasoned
Reportable

Yes/No
Yes/No