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

Civil Writ Petition No.24656 of 2017
Date of decision: November 01, 2017

The ABW Manesar Allottee Welfare Society ...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.Ashok Kumar Jindal, Advocate
 for the petitioner.

S.J.VAZIFDAR, Chief Justice :

The petitioner seeks an order directing the Director General, Town and Country Planning Department, Haryana – respondent No.2 to take over the project and also to take action against respondent No.7, the developer. The members of the petitioner society are allottees of premises in the colony being developed by respondent No.7. They have raised various allegations against respondent No.7 and have contended that the Authorities are bound to take action under Section 8 of the Haryana Development and Regulation of Urban Areas Act, 1975 as the District Town Planner, Gurgram – respondent No.3 vide communication dated 31.05.2016 (Annexure P-4) addressed to DG (TCP) – respondent No.2 indicated the violations by respondent No.7 and also stated that the allegations are very serious in nature. The reply of respondent No.7 is also enclosed under cover of the said letter.

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However, respondent No.2, must consider the allegations against respondent No.7 and if found to be substantiated, take action in accordance with law, including under Section 8 of the 1975 Act. It is not possible for us, at this stage, to directly order the implementation of the directions/ recommendations of the District Town Planner – respondent No.3, contained in the letter dated 31.05.2016 (Annexure P-4).

The petition is, therefore, disposed of by directing respondent No.2 to take a decision on the petitioner's complaint/ allegations, in accordance with law. Needless to say that any decision shall be taken only after hearing all the parties concerned, including the petitioner and the private respondents. Respondent No.2 is requested to accord priority to the matter on the basis that it was a complaint made at least three years ago.

It is clarified that respondent No.2 is at liberty to take any action in accordance with law, even before the final decision on the petitioner's complaint.

(S.J. VAZIFDAR)
CHIEF JUSTICE

November 01, 2017

(HARINDER SINGH SIDHU)
JUDGE

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Whether Speaking / Reasoned	Yes / No	Whether Reportable	Yes / No