

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

**CWP No.9207 of 2015
Date of Decision: 16.02.2017**

Parveen Kumar Gupta

..... Petitioner

Versus

State of Haryana and others

..... Respondents

(ii) CWP No.8080 of 2016

Suresh Rao and others

..... Petitioners

Versus

State of Haryana and others

..... Respondents

(iii) CWP No.259 of 2016

Jinender Kumar Jain and others

..... Petitioners

Versus

State of Haryana and others

..... Respondents

**CORAM: HONBLE MR. JUSTICE SURYA KANT
HONBLE MR. JUSTICE SUDIP AHLUWALIA**

Present: Mr. N.P. Bhardwaj, Advocate,
Mr. Sunil Kumar, Advocate,
Mr. Sudhanshu Makkar, Advocate,
for the petitioner(s).

Mr. R.D. Sharma, D.A.G., Haryana.

Mr. Sandeep Moudgil, Advocate,
for respondent No.3 (in CWP-9207-2015 & CWP-259-2016).

Ms. Gurpreet Jayia, Advocate for
Mr. Jagdish Manchanda, Advocate,
for respondent No.4 (in CWP-259-2016).

SURYA KANT J. (ORAL)

1. These writ petitions have been filed by Civil Engineers/Junior Engineers/Draftsman (Civil) having Degree/Diploma and/or Diploma in Draftsman (Civil) along with certificate of Architectural Assistantship. They have questioned the provisions like those contained in Haryana Urban Development Authority (Erection of Buildings) Regulation, 1979, or in Haryana Municipal Building Bye-Laws, 1982, whereunder they have not been included within the meaning of 'Architects' for the purpose of preparing, submitting or approval of the drawings/building plans.

2. It is pointed out that during the pendency of these writ petitions, State of Haryana has published the Haryana Building Code, 2016, which has been adopted by various Government agencies. Under this Code also, the expression 'Architect' is defined. Similarly, the duties of 'Architects' or 'Civil Engineers' are also given. The petitioners have submitted a representation to the State Government to define the competency and scope of responsibilities, which the petitioners can discharge under the Haryana Building Code, 2016. Such a representation is stated to be under consideration of the State Government.

3. In this view of the matter, we dispose of these writ petitions without expressing any views on merits with a direction to the State of Haryana through its Additional Chief Secretaries, Department of Town and Country Planning/Department of Urban Local Bodies to take an appropriate decision on the pending claim of the petitioners by way of a reasoned order within a period of four months from the date of receipt of certified copy of this order. Both the Departments shall ensure that a uniform view-point is taken. It shall be appreciated, if the petitioners are heard in representative

capacity before such decision is taken.

4. Disposed of.

(SURYA KANT)
JUDGE

16.02.2017
Bhumika

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No