

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.8388 of 2016 (O&M)

Date of Decision: 27.04.2017

M/s ARC Projects Pvt. Ltd.

... Petitioner

VS.

State of Haryana & Ors.

... Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR.JUSTICE SUDIP AHLUWALIA**

Present: Mr. Akshay Bhan, Senior Advocate with
Mr. Alok Mittal, Advocate for the petitioner

Mr. Deepak Balyan, Addl. AG Haryana

SURYA KANT, J. (Oral)

(1) The respondents along with their written statement have placed on record copy of the memo dated 10.05.2016 (R6) whereby in purported exercise of their powers under Haryana Development and Regulation of Urban Areas Act, 1975 read with the Rule 18 of 1976 Rules framed thereunder, Licence No.8 dated 04.03.2014 granted for development of Group Housing Colony over an area measuring 2.3125 acres in the revenue estate of village Ghadauli, Sector 39 & 39-A, Tehsil Jagadhri, District Yamuna Nagar has been cancelled.

(2) The above-stated order is appealable under the 1975 Act. Similarly, the claim of the petitioner *re:* refund of the licence fee and release of Bank Guarantee can also be, and deserves to be gone into by the appellate authority. Likewise the grievance of the complainant too may be considered by the appellate authority.

(3) In this view of the matter, we dispose of the writ petition relegating the petitioner to the above-stated alternative remedy. It is directed that since the petitioner has been pursuing this case before this Court, the appeal, if so filed within one month shall be entertained on merits by the appellate authority and

the same shall be decided by way of speaking order within four months from the date of its filing.

(4) With a view to enable the petitioner to seek *ad interim* relief from the appellate authority, it is further directed that the *ad interim* relief granted by this Court vide order dated 03.05.2016 shall continue to operate for a period of one month.

(5) Disposed of.

(Surya Kant)
Judge

27.04.2017
vishal shonkar

(Sudip Ahluwalia)
Judge

1. Whether speaking/reasoned?
2. Whether reportable?

Yes / No
Yes / No