

*IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.*

CWP No. 6476 of 2017

Date of decision: 6.4.2017

Ujjwala Lathar

Petitioner

vs.

State of Haryana and others

Respondent

Present: Mr. Vivek Khatri, Advocate

M.M.S.BEDI,J.

Respondent No.8 Shalender Kumar has been granted NOC by the Divisional Forest Officer (T), Bhiwani for installing a petrol pump at Village Jhumpa Kalan on Hisar-Rajgarh Roadn NH 65 (new-52) between KM 238-39 left. The opening of the retail outlet is being challenged on various grounds, including the ground that the retail outlet of the petitioner is being run under the name and style of M/s Uma Filling Station, situated on NH No.2 at Jhumpa Kalan, Tehsil Siwani, District Bhiwani within a range of 5 kms of the proposed site. He further submits that the NOC issued by the Divisional Forest Officer (T) Bhiwani is illegal.

After hearing learned counsel for the petitioner, I am of the opinion that the petitioner has already made a representation, expressing his grievance against the NOC having been granted to respondent No.8.

Without entering into the disputed questions of fact and the applicability of any statutory prohibition, it will be expedient in the interest of justice in case the grievance of the petitioner is ordered to be considered by the Deputy Commissioner, Bhiwani, as expressed in Annexure p-8 dated 3.3.2017 within a period of two months.

Notice of motion. On asking of the Court, notice has been accepted by Mr. Gaurav Jindal, Addl.A.G. Haryana. Copy given.

The petition is disposed of with a direction to the Deputy Commissioner, Bhiwani to consider the claim of the petitioner (Annexure P-8) regarding the grant of NOC to respondent No.8, by passing a speaking order within a period of two months after the receipt of a certified copy of the order. It will be open to the petitioner to bring any inquiry report in the matter to the notice of the above said authority.

April 6 ,2017
TSM

(M.M.S.BEDI)
JUDGE

Whether speaking/ reasoned

Yes/ No

Whether Reportable

Yes/ No