

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.8529 of 2017.

Date of Decision: April 26, 2017

Smt.Sonu Gosain Soni

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Jeetender Gupta, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The petitioners are residents of Orchid Garden, Sector-54, Gurgaon which has been developed by a private-builder, namely, respondent No.4. Earlier, they had a grievance against the alleged unauthorized sale of school site by the builder on the strength of revised lay-out plan which was allegedly got revised behind the back of the Residents Welfare Association. The residents were then asked to provide access to the school site. The question as to whether the said school site is to be provided access after breaking the four-wall of the residential colony, is now pending consideration before the Appellate Authority, namely, respondent No.2 in terms of the provisions of the Haryana Development and Regulation of Urban Areas Act, 1975.

The grievance in the instant writ petition raised by the petitioner is that under the garb of revision of lay-out plan, their 140 square meter parking/surface area has also been reduced to the detrimental of the interest of apartments owners.

Since the aforementioned issue is also relatable to the principal issue pending consideration before the Appellate Tribunal, we dispose of this writ petition without expressing any views on merits with a direction to respondent No.2 to adjudicate the above-mentioned grievance of the petitioner as well alongwith the appeal which is already pending. Needless to say that the view point of respondent No.4 on this issue be also taken into consideration.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

April 26, 2017
mohinder

[SUDIP AHLUWALIA]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No