

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

COCP 691/2018

Date of decision:27.02.2018.

Samay Singh

.....Petitioner

v.

RS Bhat and another

.....Respondent

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Mr.Raman Mohinder Sharma and
 Mr.Harkeerat Singh ,Advocate for the petitioner

Jaswant Singh,J,(Oral).

Petitioner alongwith his brothers had filed CWP 21858/2011 assailing the acquisition proceedings made for development and utilization of the land for Sector roads in Sectors 81 to 95 at Gurgaon. The petitioner is stated to be owning 6 kanals of land in the joint *khata* with his brothers situated in the revenue estate of Wazeepur, Tehsil and District Gurgaon. The said writ petition alongwith a bunch of connected matters was disposed of vide order dated 4.9.2013 whereby the acquisition proceedings were upheld however, directions were issued that in case the residential houses of land owners were acquired they would be allotted alternative sites and granted sufficient time for construction of their houses before vacating the acquired houses. Such petitioners were not to be dispossessed unless their claims were considered in terms of the rehabilitation policy dated 26.10.2007, 24.1.2011 and 9.11.2011. The petitioner claims that the aforesaid directions have been violated by issuance of a show cause notice dated 12.10.2017 under Sections 12(2) of the Punjab Scheduled Roads and

Controller Areas Restriction of Unregulated Development Act,1963 by the DTP, Enforcement,Gurugram.

After hearing counsel for the petitioner no case for interference is made out.

Concededly the area in question falls within the controlled area and governed by the aforesaid 1963 Act wherein it is specifically provided that no owner would erect or raise any construction without prior permission under the Act. The issuance of such a notice does not in any way violate the aforesaid order dated 4.9.2013 in the backdrop of admitted facts that the possession of the petitioner has not been sought to be taken by the official respondents.

Dismissed.

27.02.2018
joshi

(Jaswant Singh)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No