

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

104+231

CWP No.1050 of 2018 (O&M)
Date of decision: May 03, 2018

Jag Mohan Chhabra and others

....Petitioners

versus

Directorate of Town and Country Planning, Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Manish Jain, Advocate for the petitioners.

Mr. D.R. Singla, DAG, Haryana.

Mr. Sandeep Moudgil, Advocate for respondent No.3.

AJAY KUMAR MITTAL, J. (Oral)

Civil Misc. No.6395 of 2018

Annexures P-23 to P-25 filed along with the application are taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

CM stands disposed of.

CWP No.1050 of 2018

1. The petitioners have approached this Court by way of instant writ petition filed under Articles 226/227 of the Constitution of India seeking a writ in the nature of mandamus directing the respondents to take necessary action on the application dated 29.01.2013 (**Annexure P-1**) filed by the petitioners.

2. Vide order dated February 21, 2018, learned State counsel had prayed for time to take appropriate action to decide Annexure P-1 in accordance with law after affording an opportunity of hearing to the petitioners and by passing a speaking order. Thereafter, the case was

adjourned for 27.03.2018. On March 27, 2018, the following order was passed:-

'On 21.02.2018, learned State counsel had made a statement that appropriate action shall be taken to decide Annexure P-1 after affording an opportunity of hearing to the petitioners and a speaking order shall be passed thereon, in accordance with law. Learned counsel for the petitioners states that the petitioners have not received any notice of hearing from the respondents.

Adjourned to 03.05.2018.

Respondent No.1 is directed to remain present in person on the next date of hearing.'

In terms thereof, Mr. Makrand, Director General, Town and

Country Planning, Haryana-respondent No.1 is present in Court and states that after affording an opportunity of hearing to the petitioners, order dated 13.04.2018, (appended as Annexure P-25 with Civil Misc. No.6395 of 2018), has been passed and has also conveyed to them.

3. Learned counsel for the petitioners submitted that since the order dated 13.04.2018 has been passed during the pendency of the writ petition, he may be allowed to withdraw the present writ petition with liberty to the petitioners to file a fresh writ petition by laying challenge to the said order, in accordance with law.

4. Dismissed as withdrawn. It shall, however, be open to the petitioners to take recourse to the remedies as may be available to them, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

May 03, 2018
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Whether speaking/reasoned?
Whether reportable?

Yes/No
Yes/No