

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.16518 of 2018.

Date of Decision: July 10, 2018

Vidyapati Sansthan (Educational Society)Petitioner

versus

State of Haryana and othersRespondents

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

Present: Ms.Reeta Kohli, Senior Advocate with
Mr.Kirat Pal Dhaliwal, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The petitioner-Society has been allotted a School site measuring 0.96 acre in Sector-67, Gurugram by respondent No.3, who is a private builder-cum-developer-M/s Ansal Properties and Infrastructure Limited. As per the averments made in the writ petition, the allotment was made on March 27, 2012 (P-2) and the petitioner-Society has already paid the allotted price, i.e., Rs.6.0 crores and conveyance deed has also been executed in its favour by respondent No.3 (P-8).

The short grievance in the instant writ petition is that though the petitioner-Society has submitted drawings/zoning plan for approval of the Primary School as allotted to it, but the Directorate of Town and Country Planning, Haryana is sitting tight over the matter, as a result of which the permissible construction period of the petitioner-Society is expiring. It is averred that the zoning plans are approved on pick and choose basis and such like approvals have been granted in various similarly placed cases vide order/letter dated 05.12.2017 (P-14). It is also maintained

Society to raise construction and set-up the School. The petitioner-Society in this regard appears to have submitted various representations to respondent No.3-Ansal Properties and Infrastructure Limited and Town and Country Planning Department, Haryana, copies whereof are appended as Annexure P-13 (Colly.).

From the facts pleaded in the writ petition, it appears that the Directorate of Town and Country Planning, Haryana is obligated to take an appropriate decision regarding approval of the zoning plan submitted by the petitioner-Society in respect of the School site allotted to it by respondent No.3-Ansal Properties and Infrastructure Limited. The writ petition is thus disposed of without expressing any views on merits, with a direction to respondent No.2 to take a final decision in this regard within a period of three months from the date of receiving a certified copy of this order. The petitioner-Society shall be at liberty to supply a copy of the writ petition alongwith this order to respondent No.2.

Dasti.

[SURYA KANT]
JUDGE

July 10, 2018
mohinder

(SUDIP AHLUWALIA)
JUDGE

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