

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 20649 of 2018

Date of Decision: 18.08.2018

Raje Ram

.....Petitioner

V/S.

Deputy Commissioner, Gurugram and Others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN.

Present: Mr. P.L. Verma, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J. (Oral)

This petition is filed for seeking a writ in the nature of *Certiorari* for quashing the order dated 13.06.2018 (Annexure P-4) by which respondent No. 1 has granted permission to respondent No. 2-Reliance Tower Limited, Gurugram for construction of their mobile tower.

Admittedly, the petitioner has already filed a suit for permanent injunction in alternative with mandatory injunction and has also prayed for interim injunction, which has been declined. The appeal has also been disposed of with liberty to the petitioner to file a representation to the Deputy Commissioner. The petitioner has not challenged the order of appeal by way of revision before this Court.

The present petition is now filed against the order dated 13.06.2018 passed by the Deputy Commissioner, Gurugram by which permission has been granted to respondent No. 2 for installing the mobile tower.

It is submitted by learned counsel for the petitioner that the said permission has been obtained by the son of the petitioner.

I have heard learned counsel for the petitioner and after perusing the record, am of the considered opinion that since, the suit for permanent injunction is already pending, the petitioner may, if so advised, file an application under Order 1 Rule 10 of the CPC to implead his son as a defendant and again pray for an injunction against his son and respondent No. 2 from raising the mobile tower.

With these observation, present petition is disposed of.

August 18, 2018

Ess Kay

(RAKESH KUMAR JAIN)
JUDGE

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