

**HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.22434 of 2018 (O&M)

Date of Decision: 05.09.2018

Alka Sharma

...Petitioner

VS.

State of Haryana & Ors.

... Respondents

**Coram : Hon'ble Mr.Justice Surya Kant
Hon'ble Mr.Justice Sudip Ahluwalia**

Present: Mr. SK Tripathi, Advocate for the petitioner

SURYA KANT J. (Oral)

(1) The petitioner is owner of Plot No.E-2228 Palam Vihar, Gurgaon. The said residential colony has been developed by the private builder, namely, Ansal Infrastructure P.Ltd. (respondent No.4). The petitioner claims that she had purchased the above-mentioned plot and constructed the house knowing its location abutting the green-belt and for that reason, she paid more than the prevailing market price. It is claimed that as per the 1985 lay-out plan which was sanctioned for developing the residential colony, the area in question is shown as green-belt. However, the builder is alleged to have got revised the building plan on 23.02.2005 in a clandestine manner statedly in collusion and connivance with the Officers of the Town and Country Planning Department and the green-belt has now been converted into a school site. The petitioner claims that hundreds of trees have been planted at the site which are fully grown up and the residents of the area are raising the green-belt for recreational activities. It is alleged that the petitioner came to know about the revised lay-out plan only when some digging work started at the site recently and she immediately made a

representation to the Director, Town and Country Planning raising objection against the revised lay-out plan and her objections are still pending.

(2) Having heard learned counsel for the petitioner, however, without expressing any views on merits of the petitioner's allegation, especially when the petitioner has chosen to question the lay-out plan of 2005 at this juncture, the writ petition is disposed of with a direction to the Director, Town and Country Planning Department to look into the objections said to have been submitted by the petitioner or to treat this petition as an objection petition on her behalf and take appropriate decision in accordance with the principles of natural justice within a period of three months from the date of receipt of certified copy of this order.

(3) It is made clear that the construction, if any, will be subject to final outcome of the proceedings.

(Surya Kant)
Judge

05.09.2018
vishal shonkar

(Sudip Ahluwalia)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes
No