

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

CWP No.22963 of 2018 (O&M)

Date of Decision: 10.09.2018

Krishan Gopal Aggarwal

...Petitioner

VS.

HUDA & Ors.

... Respondents

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

Present: Mr. Ram Bilas Gupta, Advocate for the petitioner

SURYA KANT J. (Oral)

(1) The petitioner was unauthorisedly running a school on the first floor of SCO No.20, Sector 16, Faridabad. It appears that besides the petitioner, several others were also running primary or nursery schools unauthorizedly in Faridabad. This Court thus had to intervene and issue a direction to the authorities to verify the violations and take necessary action.

(2) The petitioner's premises has been sealed by HUDA authorities in purported compliance of those directions. The petitioner, on the other hand, submits that he has shut down the school and has given an undertaking that he will not run any school in the commercial premises. He further undertakes that he shall use the property only for a purpose permissible under the Rules. Such a reply has been submitted by the petitioner against the order of sealing of the premises. The petitioner thus seeks a direction to de-seal the premises.

(3) We have heard learned counsel for the petitioner. The issue whether the petitioner has stopped misuse of the premises is essentially a question of fact which has to be verified by the authorities. The writ petition is disposed of with a direction to respondents No.2 & 3 to verify the stand

taken by the petitioner and take a decision on his representation-cum-reply to the notice within one month from the date of receipt of certified copy of this order.

(4) Ordered accordingly.

(Surya Kant)
Judge

10.09.2018
vishal shonkar

(Sudip Ahluwalia)
Judge

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

Yes
No