

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.24891 of 2018.
Date of Decision: September 27, 2018

Deepti Goyal

.....Petitioner

versus

State of Haryana and others

.....Respondents

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

Present: Mr.Sonu Giri, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The petitioner has constructed a residential house in Saraswati Kunj, near Sector-53, Gurugram. It appears that neither the building plan was got sanctioned from Municipal Corporation nor from any other Government agency. The District Town Planner (Enforcement) has served her with a show-cause notice as to why the unauthorized building be not demolished. The petitioner has given her reply-cum-legal notice. No final order has been passed as of now. Apprehending the demolition of her house, the instant writ petition has been filed.

In our considered view, the writ petition is pre-mature at this stage. No final order regarding demolition of the house has been passed so far. It is obvious that the Competent Authority will consider the plea(s) taken by the petitioner including that the construction is compoundable. In any case, the order to be passed by District Town Planner (Enforcement) will be appealable before the State Government under Section 19 of the Haryana Development and Regulation of Urban Areas Act, 1975. The writ petition is thus disposed of without expressing any views on merits, with a

direction to the District Town Planner (Enforcement), Gurugram to pass a

speaking order in response to the reply submitted by the petitioner to the show cause notice, and in case any adverse decision is taken, let the house be not demolished for two weeks so as to enable the petitioner to approach the Appellate Forum.

[SURYA KANT]
JUDGE

September 27, 2018

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(SUDIP AHLUWALIA)
JUDGE

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