

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP No.29771 of 2017 (O&M)

Date of decision: January 29, 2018

Vijay Model School, Managing Committee, Sector 17, Panchkula

....Petitioner

versus

Commissioner-cum-Secretary, Town & Country Planning, Haryana and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present: Mr. S.D. Sharma, Sr. Advocate with
Mr. K.R. Sharma, Advocate and
Ms. Ved Priya Malik, Advocate for the petitioner.

AJAY KUMAR MITTAL, J. (Oral)

Civil Misc. No.1110 of 2018

This is an application under order 6 Rule 17 read with Section 151 of the Code of Civil Procedure for amending the writ petition by way of adding Para 25-A and Annexures P-13 and P-14.

At the outset, learned counsel for the applicant-petitioner submitted that he may be allowed to withdraw the present application.

Dismissed as withdrawn.

CWP No.29771 of 2017

1. The petitioner has approached this Court by way of instant writ petition filed under Articles 226/227 of the Constitution of India, seeking the following reliefs:-

- (i) Quashing the order dated 06.09.2012 cancelling the allotment of sale of school site of the petitioner **(Annexure P-6)**,
- (ii) Order dated 09.10.2013 passed by respondent No.3 dismissing the appeal filed by the petitioner **(Annexure P-7)**,

- (iii) order dated 25.10.2017 passed by respondent No.1 dismissing the revision petition (**Annexure P-12**),
- (iv) Further for a direction to respondents No.2 to 4 to restore the school site of the petitioner and further directing respondents No.2 to 4 to regularize the school site/building and accept the amount deposited by the petitioner whichever is finally determined by respondent No.4 after correct calculations and also;
- (v) For a further direction to respondents No.2 to 4 to adjust the construction amount of the building/school site duly determined by a committee headed by the Chief Engineer as per the directions of the Hon'ble LPA Bench, confirmed by the Hon'ble Supreme Court.

2. Learned counsel for the petitioner states that inadvertently certain factual matrix could not be incorporated and relevant documents appended along with the present writ petition. Accordingly, a prayer was made that he may be allowed to withdraw the present writ petition with liberty to the petitioner to file a fresh writ petition on the same cause of action by furnishing complete and better particulars.

3. Dismissed as withdrawn with liberty as prayed for.

(AJAY KUMAR MITTAL)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

January 29, 2018
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Whether speaking/reasoned?
Whether reportable?

Yes/No
Yes/No