

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

109

**Civil Writ Petition No.30063 of 2017
Date of decision: January 08, 2018**

Kavita Rani Wadhawa

....Petitioner

versus

State of Haryana and others

....Respondents

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

Present: Mr. Navneet Jindal, Advocate for the petitioner.

AJAY KUMAR MITTAL, J. (Oral)

1. The prayer made in this writ petition filed under Articles 226/227 of the Constitution of India, inter alia, is for quashing the impugned notice dated 27.11.2017 (**Annexure P-5**) and consequent impugned order dated 11.12.2017 (**Annexure P-7**) being in violation of the mandate of law as laid down by the Legislature and in violation of Principles of natural justice.

2. Learned counsel for the petitioner submitted that in the impugned order (Annexure P-7), it has been stated that the petitioner had neither complied with the order for demolition and given any written reply nor any step had been observed for demolishing illegal construction. However, it was stated that the reply was filed on 21.12.2017 to the show cause notices dated 27.11.2017 and 11.12.2017. In such circumstances, a prayer was made by learned

counsel, that the petitioner may be allowed to file a detailed and comprehensive representation before respondent No.3, raising the pleas as made in this writ petition. It was further prayed that direction be issued to the said authority to decide the same after affording an opportunity of hearing to the petitioner and by passing a speaking order in accordance with law.

3. After hearing learned counsel for the petitioner, pursuing the present writ petition, without commenting anything on the merits of the case and also as to whether any written reply was filed by the petitioner or not, the present writ petition is disposed of by granting liberty to the petitioner to file a detailed and comprehensive representation raising the pleas as raised in the present writ petition before respondent No.3 within one week from today. In case, such a representation is filed, the same shall be decided by the said authority by passing a speaking order and after affording an opportunity of hearing to the petitioner within next two weeks in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

January 08, 2018
sonia gugnani

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No