

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.8408 of 2017 (O&M)
Date of decision: October 22, 2018

Paras Buildtech India Pvt. Ltd. & others ...Petitioners

Versus

State of Haryana and others ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Akshay Bhan, Senior Advocate with
Mr. Amandeep Singh Talwar, Advocate for the petitioner.

Mr. Manish Dadwal, AAG, Haryana.

Mr. Lokesh Sinhal, Advocate for respondent No.2.

Mr. Sumer Singh Brar, Advocate for respondent No.6.

Mr. Pardeep Kr. Rapria, Advocate for respondents No.7 & 8.

Rajan Gupta, J.(oral)

Petitioners have impugned notice dated 30.03.2017 (Annexure P-21), read with proceedings dated 13.04.2017 (Annexure P-23), whereby fresh demarcation has to be conducted as regards the site in question. Challenge has been made primarily on the ground that a demarcation has already been done on 8.4.2016. According to petitioner, no reasons are forthcoming, which prompted the authority to conduct the fresh demarcation. A perusal of notice Annexure P-21 shows that no reasons are assigned therein.

Learned counsel for private respondents No.7 and 8 submits that demarcation has rightly been ordered by the authority, keeping in view facts and circumstances of the case. However, it appears none of the parties

were called before a fresh demarcation was ordered. Learned counsel do not dispute this factual aspect. Learned State counsel submits that the competent authority shall pass a fresh order after affording opportunity of hearing to the petitioners, respondents No.7 and 8 and other stakeholders.

In view of statement made by the State counsel, this petition is hereby disposed of. Needless to observe that the authority would not be swayed by the orders passed earlier.

(RAJAN GUPTA)
JUDGE

October 22, 2018
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No