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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCp-3872 of 2018

DATE OF DECISION: 18.09.2019

KIIT WORLD EDUCATION SOCIETY REGD

...PETITIONER

Versus

SH K.MAKRAND PANDURANG

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Ms. Reeta Kohli, Senior Advocate with
Mr. Rahul Sharma, Advocate
for the petitioner(s).

Mr. Kuldeep Tiwari, Addl. AG. Haryana.

AVNEESH JHINGAN, J. (Oral)

The present contempt petition has been filed alleging wilful disobedience of the order dated 24.07.2018 passed by this Court in CWP No. 15250 of 2018. The operative part of the order is reproduced below:

[2] The petitioner-Society has been allotted a Nursery School site measuring 0.20 acres, earmarked for educational institutions in the 'F' Block of licenced residential colony known as ESENCIA, situated at village Badshahpur, Tehsil and District Gurugram. The site has been allotted by a private Builder, namely, M/s Ansal Properties and Infrastructure Ltd.-respondent No.3. The short grievance in the instant writ petition is that the petitioner has submitted the Zoning Plan for approval of its Primary School site, but no decision is being taken by the Director General, Town and Country Planning, Haryana, due to which it is unable to construct its school.

[3] Somewhat similar controversy came up for consideration

before this Court in CWP-16518-2018 (Vidyapati Sansthan (Educational Society vs State of Haryana and others) which was disposed of on 10.07.2018 in the following terms:-

“From the facts pleaded in the writ petition, it appears that the Directorate of Town and Country Planning, Haryana is obligated to take an appropriate decision regarding approval of the zoning plan submitted by the petitioner-Society in respect of the School site allotted to it by respondent No.3-Ansal Properties and Infrastructure Limited. The writ petition is thus disposed of without expressing any views on merits, with a direction to respondent No.2 to take a final decision in this regard within a period of three months from the date of receiving a certified copy of this order. The petitioner-Society shall be at liberty to supply a copy of the writ petition alongwith this order to respondent No.2.”

[4] The instant writ petition is also disposed of in the above terms.”

A reply was filed on 16.02.2019 annexing memo No. ZP-623-B/AD (RA)/2018/32499 dated 27.11.2018 whereby Zone plan of Nursery School has been approved.

Learned counsel for the petitioners states that zone plan has been approved but a condition is imposed that no construction shall be undertaken by the Society. She seeks liberty to avail remedies in accordance with law against the order dated 27.11.2018.

The contempt petition is disposed of with liberty as prayed for. Rule issued against the respondents stand discharged.

18th September, 2019
shabha

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No