

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

CWP No.8624 of 2019

Date of Decision: 23.09.2019

Jagmal and another

....Petitioners

Versus

State of Haryana and others

....Respondents

***CORAM :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY
HON'BLE MR. JUSTICE SUDHIR MITTAL***

Present:- Mr. Amit Jhanji, Advocate
for the petitioners.

Mr. Ankur Mittal, Addl. A.G., Haryana.

Mr. Aashish Chopra, Advocate
and Ms. Gurpreet Randhawa, Advocate
for respondents No.4 to 7.

DAYA CHAUDHARY, J. (ORAL)

Reply on behalf of respondents No.1 to 3 has been filed in the Court today and the same is taken on record. A copy, thereof, has been supplied to learned counsel for the petitioners.

Prayer in the present petition is for issuance of a writ in the nature of *certiorari* for quashing of impugned order dated 21.12.2018 (Annexure P-9) and also for issuance of direction to the private respondents to provide the thoroughfare to the petitioners.

Learned counsel for respondents No.4 to 7 has raised a preliminary objection that the petitioners have a remedy of filing an appeal under Section 19 of the Haryana Urban Development and Regulation of

Urban Areas Act, 1975 and without availing said remedy of filing an appeal, the present petition has been filed. However, this fact has also not been disputed by learned counsel for the petitioners.

Keeping in view the submissions made by learned counsel for the parties, the present petition is disposed of.

However, the petitioners are at liberty to file an appeal under said provision within a period of one week from the date of receipt of certified copy of the order.

In case, such an appeal is filed, the respondents are directed not to raise any objection with regard to delay and in case respondents No.4 to 7 are also aggrieved in any manner, they are at liberty to avail the appropriate remedy.

In case, such an appeal is filed within said period, respondent No.1 is directed to make all efforts to decide the same within a period of two months thereafter.

The petition is disposed of accordingly.

(DAYA CHAUDHARY)
JUDGE

(SUDHIR MITTAL)
JUDGE

23.09.2019
gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No