

CWP no. 12912 of 2019 (O&M) 1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP no. 12912 of 2019 (O&M)

Date of Decision : 16.05.2019

M/s MRG Infrabuild Private Limited

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE LALIT BATRA

Present : Mr.Ashish Aggarwal, Sr. Advocate with
Mr. Kartik Gupta, Advocate for the petitioner

MAHESH GROVER, J.(ORAL)

The petitioner states that he being a developer had entered into agreements with the land owners. For developing the project huge amount of money was invested but land owners have back tracked and have applied directly for the license. Although the matter has been processed and no order has been passed, the present petition has been filed on an apprehension that if the order is passed allowing the application for grant of license, it is likely to jeopardize the interest of the petitioner.

After hearing learned counsel for the petitioner, we are of the opinion that no such negative mandate can be issued to the competent authority not to pass an order or to pass it in a particular way, and therefore, we perceive the prayer of the petitioner as made before us in the present petition to be unworthy of acceptance. However, keeping in view the

peculiar circumstances of the case where the petitioner has entered into agreements and invested huge amounts by making payments to the land owners, we would deem it appropriate to dispose of the instant petition with a direction to the competent authority to look into all the factors cumulatively and pass a speaking order after hearing the petitioner. In case an order adverse to the petitioner is passed, i.e of granting license to the land owners, the said order shall be kept in abeyance for a period of two months to enable the petitioner to take recourse to its legal remedies in law.

Disposed of.

(Mahesh Grover)
Judge

16.05.2019
rekha

(Lalit Batra)
Judge

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