

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

CWP No.13179 of 2019

Date of Decision : 18.09.2019

M/s Upkar Wood Product

....Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present: Mr.Karan Singh, Advocate
for the petitioner.

....

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks a Mandamus for directing the Department of Archaeology & Museums, Haryana to issue to him a No Objection Certificate so as to facilitate the starting of a plywood factory on a particular piece of land.

Counsel submits that the petitioner firm is owner in possession of land measuring 5 Bighas 16 Biswas in the revenue estate of village Amadalpur, Tehsil Jagadhri, District Yamunanagar and was desirous to construct a plywood factory. A No Objection Certificate having been sought, the same is stated to have been granted by the Department of Town and Country Planning, Haryana vide Memo dated 24.04.2017. It has been averred that construction work having been commenced, the officials of the Department of Archaeology & Museums, Haryana stopped the work on the basis that the area/land in question has been notified by the Haryana Government as Archaeological and Historical Place/prohibited area.

The entire case projected on behalf of the petitioner is that vide notification dated 17.10.2016 issued by the concerned department, no construction can be effected on certain area but the land belonging to the petitioner does not fall within the scope and ambit of such notification.

In any event it is submitted that the application dated 28.11.2018 (Annexure P-6) that had been submitted to the Director, Department of Archaeology & Museums, Haryana seeking No Objection Certificate has not been dealt with till date and no rejection order has been passed/conveyed to the petitioner.

Notice of motion.

Mr.Siddharth Sanwaria, Deputy Advocate General, Haryana, who is present in Court, accepts notice on behalf of respondents No.1 to 5 and waives service.

A complete copy of the writ paper-book already stands furnished.

State counsel submits that in case application dated 28.11.2018 (Annexure P-6) is still pending with the Director, Department of Archaeology & Museums, Haryana, the same would be dealt with in accordance with law and a final decision thereupon would be taken and conveyed to the petitioner within a period of six weeks from today.

Statement made by State counsel is accepted.

In view of the above, no further directions are required to be passed.

Petition disposed of.

18.09.2019

(TEJINDER SINGH DHINDSA)

dss

JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No