

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

CWP-6739-2018

Date of decision: 18.7.2019.

Navdeep Singh

...Petitioner(s)

Versus

Union of India and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr.Om Pal Sharma, Advocate for the petitioner

None for respondent No.1

Ms.Sonia Madaan, Advocate for

Mr.RS Madaan, Advocate for respondent Nos. 2 and 3

None for respondent No.4 and 5

JITENDRA CHAUHAN, J.

Prayer in the present petition is for setting aside the action of respondent No.2- National Highways Authority of India regarding changing of distance of entry/ access to the petrol pump of the petitioner from 35.13 metres to that of about one and half kilometre in violation of initial sanctioned site plan (Annexure P-2) without following any procedure.

None has caused representation on behalf of respondent No.1, despite service. Therefore, the said respondent is proceeded against ex parte.

At this stage, learned counsel for the petitioner states that during the pendency of the present petition, he moved an application dated

6.3.2019 through Hindustan Petroleum Corporation Ltd for redressal of his grouse before respondent No.3. He has placed on record photocopy of the said application, which is taken on record as Mark 'A'. He further submits that at this stage, he would be satisfied, if a direction is issued to respondent No.3 – Project Director cum DGM (Tech.) (NHAI), Panchkula to consider and decide the said application (Mark 'A') expeditiously.

In view of the above, without advertng to the merits of the case, the present petition is disposed of with a direction to respondent No.3 – Project Director cum DGM (Tech.) (NHAI), Panchkula to consider and decide the said application (Mark 'A') in accordance with law within six weeks from the date of receipt of the certified copy of the judgment. In case, on consideration, the competent authority reaches to the conclusion that the benefit claimed by the petitioner is admissible to him, in such eventuality, the consequential relief be allowed to him, within a period of six weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioner is not admissible or made out, in that case, a speaking order be passed in the matter.

18.7.2019
gsv

[JITENDRA CHAUHAN]
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No