

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

110

**CWP No.15414 of 2020
Date of decision:25.9.2020**

RAVI PAL AND ANR

.....Petitioners

Vs

STATE OF HARYANA AND ORS

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr.Virender Singh, Advocate for the petitioners.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video-conferencing.

Petitioners have preferred this writ petition in the nature of certiorari/ mandamus for setting aside the permission letter dated 11.8.2020 issued by respondent No.2 for installing the mobile towers.

Learned counsel for the petitioners contends that respondent No.2 has accorded permission to respondent No.3 for installing a micro cell base station (pole) under Haryana Municipal Corporation (Communication and Connectivity infrastructure) Bye Laws, 2013, vide memo dated 11.8.2020. As per policy of the Government of Haryana dated 4.1.2008, such installation has to be avoided as far as possible in residential areas.

Second policy was issued by the Government of Haryana on 13.1.2012 for setting up the mobile towers in controlled areas. The proposed site of installation is just near to the residential house of the petitioners and the same does not fall under the controlled area. Respondent No.2 has accorded permission to respondent No.3 without following the guidelines and relevant rules.

Learned counsel for the petitioners further submits that for the grievance in question, petitioner have already filed a representation dated 5.9.2020 (Annexure P-8) before the Deputy Commissioner, Karnal and Commissioner, Municipal Corporation, Karnal, but the same have not yielded any result.

At this stage, learned counsel for the petitioners submits that the petitioners would be satisfied if their representation dated 5.9.2020 (Annexure P-8) is decided by respondent No.2 strictly in accordance with the guidelines and relevant rules.

Notice of motion.

On the asking of Court, Ms.Deipa Singh, Addl.A.G.Haryana accepts notice on behalf of State.

In view of nature of order, which this Court proposes to pass there is no necessity of calling upon any response at this stage, as no order prejudicial to the interest of respondents

is being passed.

In view of above, without meaning anything on the merits of the case, respondent No.2 is directed to decide the representation dated 5.9.2020 (Annexure P-8) filed by the petitioners in accordance with law within a period of one month from the date of receipt of certified copy of this order.

Petition stands disposed of accordingly.

September 25 , 2020

anita

Whether reasoned/speaking

Whether reportable

**(RAJ MOHAN SINGH)
JUDGE**

Yes/No

Yes/No