

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

**CWP-17503-2017 (O&M)
Date of decision: 24.2.2020**

Baldev Raj Saini @ Baldev Raj

... Petitioner

Versus

State of Punjab and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA
HON'BLE MR. JUSTICE KARAMJIT SINGH**

Present: Mr. Saurabh Arora, Advocate,
for the petitioner (s).

Mr. Sahil Sharma, DAG, Punjab.

Mr. Aman Sharma, Advocate,
for respondents No.2 and 3.

RAJAN GUPTA, J. (Oral)

CM-18758-CWP-2019

For the reasons stated in the application, legal representatives
of Baldev Raj Saini as mentioned in para. 2 of the application are allowed.

Amended memo of parties is taken on record.

CWP-17503-2017

Challenge in the present petition is to order dated 13.8.2010
(Annexure P-5) passed by the authority whereby the petitioner has been
asked to remove unauthorised construction, failing which, appropriate
action would be initiated against him.

Counsel for the petitioner, at the outset, contends that only

house of the petitioner has been chosen for issuing notice for alleged

unauthorised construction. Other houses in the locality having committed similar violations have been spared of the legal proceedings.

At the outset, learned State counsel submits that GMADA is likely to ensure action against other unauthorised construction as well within one month from today.

While issuing notice of motion, only ground agitated by the petitioner was that similar action has not been followed against other owners of the houses.

In view of the clear stand taken by GMADA, we do not intend to interfere in writ jurisdiction. Petitioner shall, however, be at liberty to remove unauthorised construction within one month and approach GMADA authority for recalling order regarding cancellation of allotment. In such eventuality, GMADA authority shall consider the matter and pass appropriate orders at the earliest.

Disposed of.

(RAJAN GUPTA)
JUDGE

(KARAMJIT SINGH)
JUDGE

February 24, 2020

Paritosh Kumar

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