

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

CWP No.6304 of 2021

Date of decision: 18.03.2021

Ajay Arora

...Petitioner

Vs.

State of Haryana and others

...Respondents

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MRS. JUSTICE ARCHANA PURI**

Present: Mr. Manoj Kaushik, Advocate,
for the petitioners.

Ritu Bahri, J. (oral)

Petitioner is seeking direction to the respondents to protect his premises having plant Nursery & Small Cement Workshop (M/s Fancy Cement Works, whereby cement vases, cement park benches etc. Are manufactured), situated at 18/2, Ajronda Chowk, Mathura Road, Faridabad.

Grievance of the petitioner is that without issuing any notice under Section 18 of the HUDA Act, 1977, officials of the Haryana Urban Development Authority (HUDA) are making attempts to demolish the above said premises. Petitioner has already approached the Civil Court against HUDA (HSVP), Faridabad and vide order dated 27.01.2021 (Annexure P-2), Civil Judge (Senior Division), Faridabad, has granted interim injunction against the respondents.

Learned counsel for the petitioner contends that the petitioner has made a representation dated 01.03.2021 (Annexure P-5) before the Administrator, HUDA (HSVP), Faridabad, stating that his family has been in possession of this land for more than 40 years. He is/was doing the aforesaid work after getting due permission/licence from the land owner. In his representation, petitioner has also stated that the premises in dispute had been left from the acquisition proceedings. Learned counsel for the petitioner has placed on record a news report dated 28.02.2021 (Annexure P-4), whereby a statement has been given that if, petrol pump and liquor vends can run on green belt, then why cannot these nurseries be

rehabilitated/permitted on green belt.

In similar circumstances, CWP No.2463 of 2021 (***Aspak Khan vs. State of Haryana and others***) was decided on 03.02.2021 (Annexure P-3) giving direction to the respondents to pass a speaking order on the representation.

Notice of motion.

On the asking of the Court, Mr. Hitesh Pandit, Addl. A.G., Haryana, accepts notice on behalf of respondent-State and Mr. Anil Chawla, Advocate, accepts notice on behalf of respondent-HUDA.

Without expressing any opinion on the merits of the case, this petition is disposed of by giving direction to respondent Nos.2 and 3 to look into the representation dated 01.03.2021 (Annexure P-5) and pass a speaking order thereon in accordance with law, within a period of four weeks from the date of receipt of certified copy of this order.

Till the decision of the representation dated 01.03.2021 (Annexure P-5), no adverse steps will be taken against the premises of the petitioner.

(RITU BAHRI)
JUDGE

(ARCHANA PURI)
JUDGE

18.03.2021
ajp

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