

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

CWP No. 7237 of 2021 (O&M)

Date of decision : 31.3.2021

Kishan Loiwal Petitioner
versus
State of Haryana and others ... Respondents

**Coram: Hon'ble Mr. Justice Jaswant Singh
Hon'ble Mr. Justice Jasgurpreet Singh Puri**

Present Mr. Vikrant Rana, Advocate and
Mr. Sumit Sangwan, Advocate, for the petitioner.

Ms. Shruti Jain Goyal, Deputy Advocate General, Haryana,
for respondent nos. 1 to 4.

[The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court.]

Jaswant Singh, J. (Oral)

Petitioner- Kishan Loiwal is stated to be the owner of the ground floor unit of a building constructed upon Plot No. B-1, Suncity, Sector-54, Gurugram, comprising of three floors.

The grievance raised is that Shri H. L. Mattoo- respondent no. 5, the owner of top floor, has raised constructions in violation of the sanctioned building plan. Thus, the prayer is for directing the official authorities/ District Town Planner to take action in accordance with law.

It is evident that for the alleged unauthorized constructions at the second floor unit/ top floor, a show cause notice dated 4.3.2021 (**Annexure P-5**) under Sub-section 2 of Section 10 of the Haryana Development and Regulation of Urban Areas Act, 1975, already stands issued by the District Town Planner (Enforcement), Gurugram.

Learned counsel for the State, who is on advance notice, on instructions states that a reply to the show cause notice already filed and appropriate action, including the permissible compounding, shall be taken within 30 days from today.

In view of the above, we find no merit in the petition to invoke jurisdiction at the instance of third party.

The petitioner, if still aggrieved, is free to seek his civil remedies, in accordance with law.

The petition stands disposed of.

(Jaswant Singh)
Judge

31.3.2021
vs

(Jasgurpreet Singh Puri)
Judge

Whether speaking/ reasoned Yes/No

Whether Reportable Yes/No