

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

109+206

**CM-1992-CWP-2021 in/and
CWP-9074-2020 (O&M)
Date of Decision 09.02.2021**

M/S ARDEE INFRASTRUCTURE PRIVATE LIMITED AND ORS
.....Petitioners

VS

STATE OF HARYANA AND OTHERS
.....Respondents

**CORAM : HON'BLE MR. JUSTICE AJAY TEWARI
HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr.Rajeev Anand, Advocate, for the petitioner.

Mr.Aman Bahri, Addl.A.G.Haryana.

Mr.Harsh Bungar, Advocate, for
the proposed applicant/respondents No.6 to 49.

AJAY TEWARI, J. (Oral)

The present writ petition has been filed for issuance of a writ in the nature of Mandamus directing the respondents to perform their statutory duties by taking necessary legal action envisaged under the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act 1963 and the 1965 Rules and to consider the representation dated 03.03.2020 (Annexure P-15) and for issuance of a writ in the nature of Prohibition directing the respondents not to force/coerce/pressurize under threat of institution of criminal proceedings/persecution the petitioner company to execute the conveyance deeds in favour of defaulting allottees flouting the conditions of the inter-se bilateral agreements.

Learned counsel for the petitioners prays permission to withdraw this writ petition in view of the reply filed by learned counsel

for the State.

Mr.Harsh Bungar, Advocate, who has filed an application for impleadment has raised the ground that petitioners and the State have not disclosed many facts and these applicants have filed CWP No.2891 of 2021 in which notice of motion has been issued (of which the date has not been yet updated). In the circumstances, his prayer is that the petitioners may withdraw the writ petition but it cannot be said to be in view of the reply since as per him the State Authorities are colluding with the petitioners.

Mr.Aman Bahri, Addl.A.G.Haryana, states that State has already issued a notice regarding cancellation of the entire licence which the petitioners have challenged by way of CWP No.31663 of 2018 which has been fixed for 30.04.2021 and therefore, the allegation that the State Authority are colluding with the petitioners is manifestly wrong.

In our opinion, if the petitioners are wanting to withdraw the writ petition after written statement has been filed then whether it is mentioned that it is being withdrawn in view of the written statement or not, hardly makes a difference because that written statement and that stand of the State is already on the record and whatever objections Mr.Bunger has, can well be taken care of in the writ petition which has been filed by these applicants and therefore his insistence that the writ petition may not be withdrawn on this ground or that ground is neither here nor there in view of the pending writ petitions is rejected.

Consequently, we do not deem it appropriate to even implead them as party.

Dismissed as withdrawn accordingly.

Since the main case has been decided, the pending civil miscellaneous applications, if any, also stand dismissed.

(AJAY TEWARI)
JUDGE

(RAJESH BHARDWAJ)
JUDGE

09.02.2021
anil

<i>Whether speaking/reasoned :</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>