

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 18029 of 2021

Date of Decision: 13.09.2021

Ranvir Rana and Others

... Petitioner(s)

Versus

State of Haryana and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Manvinder Singh Dalal, Advocate
for the petitioner(s).

Mr. Tarun Walia, Assistant Advocate General,
Haryana, for respondent No.1 and 2.

Mr. Samarth Sagar, Additional Advocate General,
Haryana, for respondent No. 3 to 5.

Anil Kshetarpal, J.

1. Through this writ petition, 11 writ petitioners, who are the residents of Chiranjiv Colony, Ambala Road, Kaithal, pray for issuance of a writ in the nature of mandamus to direct the respondent No. 2 to 5 to take cognizance of the representation dated 18.08.2021 and take action in accordance with the provisions of the Haryana Municipal Act, 1973 as well as the Haryana Building Code, 2017.

2. In essence, the petitioners claim that respondent No.6 and 7, without getting the building plan sanctioned, are constructing a shopping mall in a residential colony. It is evident from the casual reading of the petition that size of the plot, on which the alleged building is being constructed, has not been disclosed.

3. Notice of motion.

4. On the request of the Court, Mr. Tarun Walia, Assistant Advocate General, Haryana, accepts notice on behalf of respondent No.1 and 2 and Mr. Samarth Sagar, Advocate, enters appearance on behalf of respondent No.3 to 5.

5. Keeping in view the facts involved, it is considered appropriate to direct the respondent no.2-Deputy Commissioner, Kaithal, to look into the representation at the first instance and pass a speaking order after verifying the correctness. Needless to observe that the speaking order shall be passed within a period of one month, after granting an opportunity of hearing to all the concerned.

6. With the observations made above, the present writ petition is disposed of.

(Anil Kshetarpal)
Judge

September 13, 2021
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No