

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

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CWP No.7621 of 2022(O&M)

Date of Decision: 06.12.2022

Daljit Kaur

....Petitioner.

Versus

State of Punjab and others

....Respondents.

**CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU
HON'BLE MR. JUSTICE LALIT BATRA**

Present: Mr. Munish Gupta, Advocate for the petitioner.

Mr. V.G. Jauhar, Additional A.G. Punjab.

Mr. Animesh Sharma, Advocate for respondent No.3.

Mr. Vikram Preet Arora, Advocate for respondent No.6.

Mr. S.K. Jain, Advocate and
Mr. Abhimanyu, Advocate for respondent No.7.

Mr. Shailendra Jain, Senior Advocate with
Mr. Rahul Bhargava, Advocate for respondents No.8 to 13.

HARINDER SINGH SIDHU, J.

The grievance of the petitioner is that land measuring twenty (20) Biswas comprised in khasra Nos.34//11/2 and 35//13 situated at village Gazipur (Zirakpur), Hadbast No.50, has been wrongly included in the CLU and licence granted to private respondents No.8 to 13.

In respect of the aforesaid controversy the petitioner has already preferred an appeal (Annexure P-9) under Section 33 of the Punjab Apartment and Property Regulation Act, 1995 (in short 'the Act'), which is pending. The petitioner has also filed application/representation dated

14.02.2022 (Annexure P-8) under Section 85 of the Punjab Regional and Town Planning and Development Act, 1995 against the grant of CLU in respect of the land to private respondents No.8 to 13.

In this petition, the petitioner has also sought action on the complaints dated 04.07.2021 and 13.07.2021 (Annexure P-18) moved by the petitioner before respondent No.3 – Real Estate Regulatory Authority, Punjab, and these are stated to have been forwarded by respondent No.3 to respondent No.4 – Director, Department of Local Government, vide communication dated 23.07.2021 (Annexure P-19), who has further forwarded the same to respondent No.6 – Executive Officer, Municipal Council, Zirakpur, District S.A.S. Nagar, vide communication dated 29.07.2021 (Annexure P-20).

Mr. Animesh Sharma learned counsel for respondent No.3 – RERA states that the application of the private respondents No.8 to 13 for grant of registration of the Real Estate Project – “Prabhat Enclave” has been accepted by RERA, vide order dated 15.07.2022 (Annexure R-3/2).

Mr. Jauhar states that aforesaid two matters of appeal (Annexure P-9) and representation (Annexure P-8) would be disposed of by the authorities concerned within a period of two months positively.

In view of statement of Mr. Jauhar, the present petition is disposed of.

Till the decision of aforesaid two matters (Annexures P-8 and P-9), interim order dated 18.04.2022 shall continue.

It would be open for the petitioner to take any appropriate remedy against the order passed by the RERA. If the petitioner chooses to

assail the order of RERA, it would also be open to the petitioner to assail that order on the ground that it is passed without conclusion of the inquiries/complaints (Annexure P-18).

(HARINDER SINGH SIDHU)
JUDGE

(LALIT BATRA)
JUDGE

06.12.2022
D.Gulati

Whether speaking/ reasoned : Yes/ No
Whether Reportable : Yes/ No