

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

118

CWP-8961-2022.

Date of Decision: 29.04.2022.

Jawahar Lal Nanda

....Petitioner.

Versus

Haryana Shehri Vikas Pradhikaran and others

....Respondents.

**CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH
HON'BLE MR. JUSTICE LALIT BATRA**

Present: Mr. Himanshu Bansal, Advocate for
Mr. Anuj Garg, Advocate for the petitioner.

Amol Rattan Singh, J. (Oral)

Vide this petition, the petitioner seeks issuance of directions to respondents No.1 and 2 to take action against the “private respondents” for raising illegal unauthorized construction without compliance of the relevant building codes (Haryana Building Code 2017 and National Building Code 2016), at Plot No.832, Sector-16, Panchkula (as alleged), thereby endangering the life of the 75 year old petitioner and his family, living in the adjacent house.

Upon query to learned counsel for the petitioner as to whether the construction in the house stated to have been constructed by respondents No.3 and 4, i.e. House No.832, Sector-16, Panchkula, already stands constructed in the year 2018, as is stated in paragraph-4 of the petition, or there is any construction still ongoing, he could not state that it is actually ongoing.

Hence, if there is any damage to the house of the petitioner, which is stated to be on account of construction on plot/House No.833, Sector-16, Panchkula, the petitioner's remedy for damages would not be in these proceedings, with naturally evidence to be properly led on behalf of both sides (if the petitioner chooses to institute any such proceedings before the competent court).

Consequently, this petition is disposed of with the petitioner at liberty to obviously take his civil remedy in that regard, but with a direction issued that upon the petitioner approaching respondent No.2, i.e. the Estate Officer, Haryana Shehri Vikas Pradhikaran, Sector-6, Panchkula, to get determined as to whether the aforesaid House No.832, Sector-16, Panchkula, has actually been constructed as per a sanctioned plan or not, that matter would be looked into by the Estate Officer and a report to that effect be given to the petitioner within two months of his making such application.

The last part of this order is being passed even in these proceedings only because the petitioner is shown to be 75 years old.

(AMOL RATTAN SINGH)
JUDGE

(LALIT BATRA)
JUDGE

29.04.2022

jitender

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