

CWP No. 26580-2022

DECIDED ON:23.12.2022

Neeraj Chaudhry

.....Petitioner

VERSUS

State of Haryana and others

....Respondents

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

Present: Mr.Pavan Malik, Advocate,for the petitioner.
Ms. Tanisha Peshawaria, DAG, Haryana.
Mr. Mukul Aggarwal, Advocate, for respondents no.3 to 8.

HARINDER SINGH SIDHU,J

The petitioner has impugned the order dated 21.07.2022 (Annexure P-24), passed by the Director, Town and Country Planning, Haryana, Chandigarh, whereby he has reviewed the earlier order dated 17.05.2022 (Annexure P-22). He has also assailed the Policy dated 14.08.2020 (Annexure P-26) on the ground that the same is contrary to the statute. The petitioner has stated that against the order dated 21.07.2022, he has already submitted a representation dated 29.07.2022 (Annexure P28-A), which is pending.

Ms. Tanisha Peshawaria, DAG, Haryana, on instructions from DTP Surender K. Sehrawat and DTP Narender Kumar, states that the representation of the petitioner would be decided by the Director.

In view of the aforesaid, the petitioner does not wish to pursue the present petition and withdraws the same with liberty to pursue his representation before the Director besides reserving his right to challenge Policy (Annexure P-26) subsequently, if required.

Mr. Mukul Aggarwal, Advocate, appearing for respondents no.3 to 8 states that as the order dated 21.07.2022 (Annexure no.24) has been passed on its application, before passing any order, the said

respondents are entitled to be heard.

In view thereof, the present petition is disposed of with a direction to Director-respondent no.2 to decide the representation dated 29.07.2022 (Annexure P28-A) of the petitioner after affording the petitioner as also the respondents no.3 to 8 an opportunity of hearing. The needful be done, within a period of two months.

It would be open to the petitioner and respondents no.3 to 8 to take all pleas before the Director.

It is clarified that while deciding the representation, the objections of respondents no.3 to 8 be also decided.

Petitioner would be at liberty to challenge Policy Annexure P-26 at a subsequent stage, if required.

(HARINDER SINGH SIDHU)
JUDGE

(LALIT BATRA)
JUDGE

23.12.2022

mamta

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