

In the High Court of Punjab and Haryana at Chandigarh

CWP No. 742 of 2023
Date of Decision: 13.1.2023

Surender Kumar

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Ms. Amrita Nagpal, Advocate
for the petitioner.

Mr. Raman Sharma, Addl. A.G., Haryana.

SURESHWAR THAKUR, J.

1. The writ petitioner has acquired a valid title to the writ land, through a validly executed registered deed of conveyance from the vendor concerned. The writ petitioner intended to establish on the writ land, an industrial unit but the permission in respect thereof, was required to be obtained from all the authorities concerned.

2. It is unfolded by Annexure P-2, that at the time when the acquisition of title to the writ land, became acquired by the writ petitioner from the vendor concerned, the same did not fall within the domain of the controlled areas concerned, thereupon, may be at that time there was no necessity of any application being preferred before the authorities concerned, hence for ensuring the begettings of the apposite change of land user.

3. However, subsequently, through the drawings of Annexure P-2, it appears, that the writ land does fall within the domain of controlled areas,

thereupon, a necessity does arise, for an application being filed, before the competent authority concerned, for ensuring the change of user by the writ petitioner of the writ land, rather for the purpose above stated.

4. Since the above application has not been preferred, therefore, the above be ensured to be preferred within two weeks, before the competent authority concerned, and, thereupon, the competent authority shall make an expeditious lawful decision thereons.

5. With the afore observations, the petition stands disposed of.

(SURESHWAR THAKUR)
JUDGE

(KULDEEP TIWARI)
JUDGE

January 13, 2023
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No