

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

113

Civil Writ Petition No.1230 of 2023
Date of Decision: January 20th, 2023

Om Parkash

...Petitioner

Versus

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

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

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court with a grievance as has been highlighted by him in his representation dated 02.03.2020 (Annexure P-8) which is in the form of a reply to the show cause notice relating to cancellation of Flat No.106, Group Housing Society No.107, Sector 20, Panchkula. No decision in pursuance to the show cause notice which was issued to the petitioner and responded to, as referred to above, has been conveyed to the petitioner till date.

Counsel contends that the petitioner at this stage would be satisfied if on consideration of the reply to the show cause notice, a decision is taken by the competent authority, which is the Estate Manager, Housing Board, Haryana, Panchkula-respondent No.3 within some specified time.

Notice of motion.

On the asking of the Court, Mr. Pravindra Chauhan, Advocate, accepts notice on behalf of the respondents.

In the light of the statement made by the counsel for the petitioner, without going into the merits of the case and commenting

thereon, we dispose of the present writ petition at this stage by directing the

Estate Manager, Housing Board, Haryana, Panchkula-respondent No.3 to consider and take a decision on the reply dated 02.03.2020 (Annexure P-8) to the show cause notice within a period of six weeks from the date of receipt of certified copy of this order. Decision so taken be conveyed to the petitioner forthwith.

The apprehension as has been expressed by the counsel for the petitioner is that before the decision is taken on the reply to the show cause notice, they may proceed to issue the cancellation order.

This apprehension of the counsel for the petitioner appears to be misplaced, however, it goes without saying that till a decision is taken to the reply to the show cause notice, no coercive steps would be taken by the competent authority.

(AUGUSTINE GEORGE MASIH)
JUDGE

January 20th, 2023
Puneet

(VIKRAM AGGARWAL)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No