

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

103

Civil Writ Petition No.6665 of 2020
Date of Decision: February 15th, 2023

Pawan Kumar (since deceased) through his LRs

...Petitioners

Versus

State of Haryana and others

...Respondents

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

Present: Mr. Divyam Singh, Adv. for
Mr. Aashish Gupta, Advocate
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Vide order dated 07.02.2023, legal heirs of petitioner-Pawan Kumar had been brought on record as the said petitioner had expired during the pendency of the writ petition.

The grievance as has been highlighted in the writ petition is that the shops which have been constructed by petitioner-Pawan Kumar have been demolished by the respondents without following the procedure of law and, therefore, they are entitled to either restoration of the same to the original position or for payment of compensation for the illegal action on the part of the respondents. Highlighting this aspect, petitioner had served a notice dated 13.11.2019 (Annexure P-8) through counsel, which was addressed to respondents No.2 to 4 but till date no decision thereon has been taken.

Counsel for the petitioners contends that the petitioners at this stage would be satisfied if a direction is issued to respondents No.2 to 4 to consider and decide the legal notice dated 13.11.2019 (Annexure P-8) within some specified time.

Notice of motion.

On the asking of the Court, Ms. Kirti Singh, Deputy Advocate General, Haryana, accepts notice on behalf of the respondents.

Without going into the merits of the case or commenting thereon, we dispose of the present writ petition by directing the Director, Town & Country Planning, Haryana, Chandigarh, Deputy Commissioner, Ambala, and Executive Engineer, Haryana, PWD (B&R), Provincial Division PWD, Naraingarh, District Ambala-respondents No.2 to 4 respectively to consider and decide the legal notice dated 13.11.2019 (Annexure P-8) within a period of two months weeks from the date of receipt of certified copy of this order. Decision so taken be conveyed to the petitioners forthwith.

(AUGUSTINE GEORGE MASIH)
JUDGE

February 15th, 2023
Puneet

(VIKRAM AGGARWAL)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No