

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

**CM-19486-CWP-2023 in/and  
CWP-8501-2022(O&M)  
Date of decision: 01.12.2023**

Jagdish Chander

... Petitioner

Versus

State of Haryana and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI  
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr. Shubham Thakur, Advocate, for the petitioner.

Mr. Ankur Mittal, Addl. AG, Haryana,

Mr. Karan Jindal, Asstt. AG, Haryana,

Ms. Kushaldeep Kaur, Advocate.

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**ARUN PALLI, J. (Oral)**

With the consent of learned counsel for the parties, the hearing in the main case, which is listed for 29.01.2024, is preponed to today.

Accordingly, CM-19486-CWP-2023 is allowed.

The records show that claim of the petitioner was sought to be resisted by the respondent-State on the ground that the order dated January 28, 2021, passed by the Principal Secretary, Department of Town and Country Planning, Haryana, was being challenged and, therefore, the same could not be implemented. We are informed that Civil Writ Petition No.18206 of 2022 (**Haryana Sheri Vikas Pradhikaran v. State of Haryana and others**), preferred by the respondent-HSVP, against the said decision was dismissed by

this Court on August 22, 2022. More than a year has gone by since dismissal of the petition filed by the respondent-HSVP and we wonder as to how, the authorities could still deprive the petitioner of the benefit of the order dated January 28, 2021.

Upon being pointedly asked, learned counsel for the respondents submits that there is no plausible explanation for the gross and inordinate delay in implementing the order dated January 28, 2021. He has also shared with us a copy of the communication dated August 24, 2023, vide which the Chief Administrator had required the Administrator, HSVP, Panchkula to look into the matter and implement the order dated August 22, 2022. Likewise, the Estate Officer, vide communication dated November 17, 2023, had apprised the Chief Controller of Finance, HSVP, Panchkula of the gravity of the situation and to take a decision in the matter. But the fact remains that no such decision has been taken to this moment. However, Mr. Ankur Mittal, learned Additional Advocate General appearing for the State of Haryana, submits that the order dated January 28, 2021 shall be complied with/implemented today itself, after carrying out the necessary formalities. He further submits that a communication in this regard shall also be sent to the petitioner within a week from today.

In the wake of the above, and particularly the statement made by learned counsel for the respondents, learned counsel for the petitioner submits that nothing substantive survives in this petition and the same be disposed of as having been rendered infructuous.

Ordered accordingly.

However, in case of any default, the petitioner shall be at liberty to move an appropriate application in this petition itself for appropriate orders.

( Arun Palli )  
Judge

( Vikram Aggarwal )  
Judge

01.12.2023  
Rajan

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|------------------------------|--------|
| Whether speaking / reasoned: | YES/NO |
| Whether Reportable:          | YES/NO |