

116 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.8626 of 2023 (O&M)
Date of Decision: 26.04.2023

Urmil Yadav Petitioner
V/s.
State of Haryana and Others Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Alok Mittal, Advocate for the petitioner.

Augustine George Masih, J. (Oral)

Learned counsel for the petitioner has approached this Court with a grievance that the land having been partitioned, each co-sharer would have right on each inch of the land. Without taking the consent of the petitioner, the respondent carried out the construction on the land which includes the land where the petitioner has his share therein. Highlighting this aspect, the petitioner has submitted a representation dated 09.03.2023 (Annexure P-6) to the Director, Town and Country Planning Department, Government of Haryana, Chandigarh-respondent No.2. Subsequent reminders have also been submitted dated 28.03.2023 and 12.04.2012 (Annexure P-8, *colly*). Learned counsel contends that till date no action thereon, has been taken by respondent No.2.

He further submitted that the petitioner at this stage, would be satisfied if a direction is issued to the respondent No.2 to consider the representation of the petitioner as referred to above and a decision taken thereon, within a specified time.

Notice of motion to the official respondents.

On the asking of the Court, Mr. Deepak Bhardwaj, DAG, Haryana accepts notice on behalf of respondent Nos.1 and 2.

Without going into the merits of the case or commenting thereon, we dispose of the present writ petition with a direction to the Director, Town and Country Planning Department, Government of Haryana, Chandigarh-respondent No.2 to consider the representation dated 09.03.2023 (Annexure P-6), and reminders dated 28.03.2023 and 12.04.2012 (Annexure P-8, *colly*) and take a decision thereon within a period of eight weeks from the date of receipt of the certified copy of the said order. The decision so taken, be conveyed to the petitioner forthwith.

Disposed of, accordingly.

(AUGUSTINE GEORGE MASIH)
JUDGE

26th April, 2023

Sonia Puri

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(HARPREET SINGH BRAR)
JUDGE