

252

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

CWP-12574-2022 (O&M)
Date of decision : 27.04.2023

Shweta Lakhina @ Shweta Gandhi

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Akashdeep Singh, Advocate for the petitioner.

Mr. Rajneesh Chadwal, AAG, Haryana
for respondent No.1.

Mr. Satyam Tandon, Advocate for respondent No.2.

Mr. Vijay Singla, Advocate and
Ms. Suruchi Sharma Tewari, Advocate
for respondent Nos.3 to 5.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondent Nos.1 and 2 to stop further illegal constructions and demolish the illegal construction which has already been raised by the private respondents.

2. Learned counsel for the petitioner has submitted that at the time when the present writ petition was filed, site plan was not revised but after notice of motion was issued in the present writ petition by this Court,

revised site plan has been sanctioned and thus, on the said aspect, the present writ petition has been rendered infructuous. It is further submitted that even after the revised site plan has been sanctioned, further construction which has been raised is in violation of the plan and for the said purpose, the petitioner seeks to withdraw the present writ petition with liberty to institute the proceedings, in accordance with law.

3. In view of the same, the present Civil Writ Petition is disposed of as having been rendered infructuous.

4. Liberty as sought by the petitioner is granted to the petitioner to institute the proceedings, in accordance with law.

5. It would be open to all the parties to raise all the pleas in the said proceedings and same would be considered, in accordance with law, as this Court has not opined on the merits of the said issue.

6. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

27.04.2023*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**