

131 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-11208-2023

Date of Decision : 22.05.2023

ASHISH YADAV

...Petitioner

Versus

STATE OF HARYANA AND
OTHERS

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia.
Hon'ble Mr. Justice Lalit Batra.

Present : Mr. Ishnoor Singh, Advocate for
Mr. Vikram Singh, Advocate for the petitioner.

B.S. Walia, J. (Oral)

[1] Prayer in the petition is for issuance of directions to the official respondents to decide representation dated 21.03.2023 (Annexure P/17) for cancellation of License No.169 of 2004 dated 16.12.2004 (Annexure P/2) issued to respondent No.6 for having made illegal/unauthorized development of the licensed land of Group Housing Colony in an illegal and arbitrary manner.

[2] Learned counsel appearing for the petitioner contends that the petitioner is owner of land adjacent to the land for which development of License No.169 of 2004 dated 16.12.2004 (Annexure P/2) was issued to respondent No.6 (aforementioned license was initially issued to M/s Bhudeep Builders & Exports Pvt. Ltd. but was subsequently vide order, Annexure P/8 transferred in the name of M/s Vipul Infrastructure Developers Pvt. Ltd – respondent No.6 herein)) but respondent No.6 has raised construction on the land in question in derogation of the terms and conditions of the license Annexure P/2 dated

16.12.2004 and despite the petitioner having submitted a number of representations dated 25.08.2020 (Annexure P/12), 25.10.2021 (Annexure P/13), 25.01.2022 (Annexure P/14) and 21.03.2023 (Annexure P/17) respectively to the Director General, Town and Country Planning Department, Chandigarh, Haryana, no decision has been taken on the same till date.

[3] Learned counsel contends that the petitioner would be satisfied if the instant petition is disposed of at this stage by directing the Director General, Town and Country Planning Department, Chandigarh, Haryana to consider and decide the representations noted above in accordance with law.

[4] Notice of motion to respondent No.2 only.

[5] Mr. Surender Singh Pannu, Addl. A.G., Haryana accepts notice on behalf of respondent No.2 and on perusal of the writ petition states that he has no objection to the limited prayer made by learned counsel for the petitioner.

[6] Accordingly, in view of the statement of learned counsel for the parties, the instant petition is disposed of by directing respondent No.2 to consider and decide representation dated 25.08.2020 (Annexure P/12), 25.10.2021 (Annexure P/13), 25.01.2022 (Annexure P/14) and 21.03.2023 (Annexure P/17) respectively by passing a speaking order in accordance with law as expeditiously as possible.

(B.S. Walia)
Judge

(Lalit Batra)
Judge

22.05.2023

'Amit'