

**135 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CWP No.11391 of 2023 (O&M)
Date of Decision: 25.05.2023**

Pal Singh

..... Petitioner

V/s.

State of Haryana and Another

.....Respondents

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

Present: Mr. Umesh Kaushik, Advocate
for the petitioner.

Augustine George Masih, J. (Oral)

The petitioner has approached this Court with a grievance that in pursuance to the show cause notice dated 19.01.2023 (Annexure P-1) served upon the petitioner under Section 12(2) of the Punjab Scheduled Road and Controlled Areas Restriction of Unregulated Development Act, 1963 (Annexure P-1) as has been served by the respondents, is not in consonance with law. He contends that the show cause notice has been responded to by the petitioner by way of reply dated 27.01.2023 (Annexure P-6). Without taking any decision on the said reply which has been submitted, the respondents are not permitting the petitioner to use the property in question which the petitioner had purchased in auction held by Union Bank of India where the property in question was sold as a factory. The petitioner therefore contends that he is suffering because of the inaction on the part of the respondents.

Notice of motion.

On the asking of Court, Mr. Aman Bahri, Additional Advocate

General, Haryana, who is present in Court accepts notice on behalf of the

respondent No.2 and Mr. Deepak Bhardwaj, DAG, Haryana accepts notice on behalf of respondent No.1.

Without going into the merits of the case and commenting thereon, we dispose of the present petition directing District Town Planner, Kurukshetra-respondent No.2 to consider the show cause notice, as has been served upon the petitioner and responded to by reply dated 27.01.2023 (Annexure P-6) and take a decision thereon within a period of two weeks from the date of receipt of certified copy of the order. The decision so taken, by way of a speaking order, be conveyed to the petitioner forthwith.

(Augustine George Masih)
JUDGE

25th May, 2023

Sonia Puri

(Harpreet Singh Brar)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No