

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

(121)

**CWP-13855-2023
Decided on : 04.07.2023**

Aman Singh & others

.....Petitioner(s)

Versus

State of Haryana & others

.....Respondent(s)

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MS.JUSTICE HARPREET KAUR JEEWAN**

Present: Ms.Rashi Shahrawat, Advocate
Ms.Punam Singh, Advocate
Ms.Bhanu Udai, Advocate for the petitioner (s).

G.S. Sandhawalia, J. (Oral)

The present writ petition, filed under Article 226 of the Constitution of India is directed against the show cause notice dated 26.06.2023 (Annexure P-1) issued by respondent No.3, the District Town Planner (Enforcement) Gurugram.

2. Apparently, the petitioners have been asked to put in appearance on 03.07.2023 to show cause as to why the building/land in respect of which contravention has been committed should not be brought to its original state. The language of the show cause notice would go on to show that unauthorized construction has been raised in violation of Section 6 and Sub-section (i) of Section 7 of the Punjab Scheduled Roads & Controlled Areas Restriction of Unregulated Development Act, 1963.

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3. In such circumstances, we are of the considered opinion that the writ is premature as the petitioners have a remedy to file reply to the same and appear before the authority and satisfy the said authority whether the show cause notice is justified in the facts and circumstances.

4. Faced with the situation, counsel submits that the show cause notice will be replied to and contested before the concerned authority.

5. Accordingly, in view the above, the present writ petition is disposed of. We are sanguine of the said fact that on the reply filed, the authority shall pass a speaking order, dealing with all the contentions which the petitioners may raise before it.

(G.S. SANDHAWALIA)
JUDGE

(HARPREET KAUR JEEWAN)
JUDGE

04.07.2023
Sailesh

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No