IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-15388-2018 (O&M)
Date of decision:07.12.2023

Manmohan Singh and others ….Petitioners

Versus

State of Haryana and others ….Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. R.D. Gupta, Advocate, and
Mr. Viresh Dahiya, Advocate,
for the petitioners.

Mr. Ankur Mittal, Additional A.G., Haryana,
Mr. Karan Jindal, Assistant A.G., Haryana and
Ms. Kushaldeep Kaur, Advocate.

Mr. Ravinder Malik (Ravi), Advocate,
for the applicant-respondents 5 and 6
(in CM-20677-CWP-2023).

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ARUN PALLI, J. (Oral)

Having argued the matter at some length, learned counsel for the parties have reached a consensus: that apparently the impugned order dated June 02, 2018 (P-7), passed by the District Town Planner, Ambala, is bereft of any reason. So much so, while passing the said order, though there is a reference to the reply submitted by the petitioners to the show cause notice, but the stand set out by them as also their concerns remained unaddressed. Therefore, the impugned order ***(ibid)***, be deemed to have been withdrawn. Accordingly, the petition at hand be disposed of, at this stage, to enable the competent authority to pass a fresh order, after affording a hearing to the petitioners and other stakeholders.

Further, learned State counsel fairly submits, for the interim order granted by this Court in favour of the petitioners, while issuing notice of motion on June 08, 2018, is operative to date, the same shall

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continue to operate till the orders, as indicated above, are passed by the competent authority.

Accordingly, and without prejudice to the rights/interest of the parties, as also their respective pleadings before this Court, the petition is disposed of, in terms of the statement made by learned counsel for the parties. And as agreed, the parties or their authorized representative(s) shall appear before the competent authority on 12.12.2023 at 11:30 AM, in the office of District Town Planner, Ambala. Whereafter, the competent authority shall proceed further to deal with the matter. This Court is sanguine that the authorities shall examine the matter in the right earnest. And, appropriate orders, in accordance with law, shall be passed within a period of three months from today.

Needless to assert that this order shall not constitute an expression of opinion on the merits of the case of either party, for, as indicated above, the competent authority shall examine the concerns/grievances of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

07.12.2023
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No

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