

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

114

2023:PHHC:108992-DB

CWP-18302-2023

Date of Decision: 22.08.2023

Rajit Kaicker

.....Petitioner(s)

Versus

State of Haryana and others

....Respondent(s)

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

Present: Mr. Shekhar Verma, Advocate,
for the petitioner.

Mr. Aman Bahri, Addl. A.G., Haryana.

Mr. B.R. Mahajan, Sr. Advocate,
with Mr. Piyush Bansal, Advocate,
for respondent No.3.

G.S.SANDHAWALIA, J. (Oral)

1. Prayer made in the present writ petition filed under Articles 226 and 227 of the Constitution of India is for issuance of a writ in the nature of certiorari for quashing of show cause notice dated 25.07.2023 (Annexure P-7) and also praying for passing an order on the reply dated 01.08.2023 (Annexure P-8), which the petitioner submitted to the said show cause notice. Additional prayer has been made to consider the activity of paying guest facility from residential areas being permissible in law.

2. Mr. Bahri has placed on record the order dated 11.08.2023 whereby, the reply has been found unsatisfactory as the violations, as mentioned in the show cause having not being removed, necessary directions were issued. The matter has been dealt with by us in ***CWP No. 18037 of***

2023, Saloni Kaicker vs. State of Haryana and others, decided on

21.08.2023 and the said decision squarely covers the issue raised in the present case.

3. Accordingly, for the reasons given in the above said order, the show cause notice dated 25.07.2023 (Annexure P-7) and consequential proceedings are quashed. However, liberty is given to the respondents to issue fresh show cause notice to the petitioner in accordance with the provisions of the Haryana Development and Regulation of Urban Areas Act, 1975 and proceed ahead.

(G.S. SANDHAWALIA)
JUDGE

22.08.2023
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(HARPREET KAUR JEEWAN)
JUDGE

Whether reasoned/speaking	Yes
Whether reportable	No