

**2023:PHHC:117521-DB**  
**IN THE HIGH COURT OF PUNJAB AND HARYANA**  
**AT CHANDIGARH**

**CWP-19697-2023**  
**Date of decision:06.09.2023**

M/s Goyal Bricks Kiln Company

....Petitioner

Versus

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI**  
**HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Mr. Chakit Bansal, Advocate for  
Mr. Pardhuman Garg, Advocate,  
for the petitioner.

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**ARUN PALLI, J.** ( Oral )

The petitioner has assailed the order dated 28.10.2022 (P-2), passed by the Commissioner, Municipal Corporation, Faridabad, whereby its request for extension of lease qua a land measuring 7.34 acres, situated in village Sotai, Teshil Ballabhgarh, to run a brick kiln has since been rejected.

Concededly, the lease period had expired as back as on 29.10.2021. It is not disputed either, that petitioner is in arrears from 30.10.2021 to 31.10.2022. One of the reasons cited by the authorities to reject the claim of the petitioner is that the brick kiln in question is located in the proposed Sector 118, which does not confirm to the permissible land use of the said area. Further, in terms of clause 4(iii) of the Haryana Control of Bricks Supply Order, 1972, no such activity is permissible within 3.0 Kilometers of municipal limits of Class 'A' city.

Thus, even these parameters are not met with.

We had heard the learned counsel for the petitioner at some length. However, at this stage, he submits that he be permitted to withdraw this petition to enable the petitioner to move the authorities, once again, qua its concerns and grievances for extension of the lease period. Particularly, as the petitioner is ready to vacate the land in question provided that some reasonable time is afforded to the petitioner to relocate itself. And shall also clear all the arrears, as well.

Dismissed as withdrawn.

Needless to assert that this order shall not constitute an expression of opinion on the merits of the case of either party.

**(ARUN PALLI)**  
**JUDGE**

**(HARKESH MANUJA)**  
**JUDGE**

**September 06, 2023**

Ak Sharma

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| Whether speaking/reasoned | Yes/No |
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