

2023:PHHC:134135

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

CWP-21710-2023
Date of Decision: 16.10.2023

Devender Kumar

..... Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr.Abhishek Jindal, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

Petitioner has approached this Court praying for issuance of direction to respondents No.4 to 6 to return back 5000 bricks and other constructions material including cement bags etc. belonging to the petitioner, which the petitioner had gathered at his house for renovation purposes, after obtaining sanction letter dated 19.01.2021 (Annexure P-5) issued by respondent No.3 through respondent No.6, which was issued in compliance of the order/judgment dated 16.12.2020 passed in CWP-36932-2019 of this Court. Further prayer has been made for quashing the order dated 15.07.2022 (Annexure P-21) passed by the SPCA respondent No.7, whereby, the complaint filed by the petitioner against respondents No.9 to 11 for commission of illegal acts including corruption and harassing the petitioner was dismissed, against the settled provisions of law without application of mind, illegally and arbitrarily. A prayer has also been made for directing respondent No.2 and respondents No.8 for constitution of a Special Task Force under the supervision of ACB, Haryana (respondent No.8) for inquiring into the rampant corruption, illegal detention and harassment of the petitioner done at the behest of respondent No.9 to 11.

Learned counsel for the petitioner has submitted that the petitioner earlier approached this Court by way of filing CWP-36932-2019, which was

allowed by this Court vide order dated 16.12.2020. He has submitted that after passing of the order by this Court, the respondent-authorities had sanctioned the building plan of the petitioner and he started raising constructions in pursuance to the same. He submits that thereafter, the respondent-authorities filed LPA, in which the Hon'ble Division Bench of this Court stayed the order passed by the Single Bench. He submits that the petitioner had started the constructions in view of the sanctioned plan and the action taken by the respondents is in violation of Section 182 (2)(1) of the Haryana Municipal Act.

Notice of motion.

Ms. Upasana Dhawan, Assistant Advocate General, Haryana, accepts notice on behalf of the respondent-State.

After arguing for some time, learned counsel for the petitioner prays for withdrawal of the present petition with liberty to avail any other alternative remedy as available to the petitioner under law.

Allowed to do so.

Dismissed as withdrawn with liberty as prayed for. In case the petitioner files any representation/petition before the competent authority for the redressal of his grievance, the authority concerned would decide the same expeditiously preferably within a period of four weeks from the date of its filing in accordance with law.

16.10.2023
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Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No

(RAJESH BHARDWAJ)
JUDGE