

Sunita Rani

....Petitioner

Versus

State of Haryana and Others

....Respondents

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

Present: Mr. S.S. Momi, Advocate for the petitioner.

Mr. Ankur Mittal, Addl. A.G., Haryana
for respondents No.1 and 3.

Ms. Pearl Narang, Advocate
for Mr. Priyavrat Prashar, Advocate
for respondents No.2, 4, 5 and 6.

ARUN PALLI J. (Oral)

The petitioner herein has prayed for the following
substantive relief:-

***“Civil Writ Petition under Article 226/227 of the
Constitution of India humbly praying that this Hon’ble
Court may be pleased to issue appropriate writ(s),
order(s) or directions(s) especially in the nature of
mandamus for direction to the official respondents to get
the illegal encroachment removed which is constructed
on the green belt shown in the master plan of Sector-1,
(HUDA), Shahbad Annexure P-1 as no action has been
taken by the official respondent even after repeated
representations of petitioner till date.***

And/Or

***Further issue a mandamus to the respondent No.5
to 7 for planting tree/plants on the green belt site and for
taking legal action against the person who had uprooted
the trees planted by the present petitioner on this green
belt.”***

The record shows that the matter is pending for the past 4 years but no response thereto has been filed.

Having argued the matter at some length, learned counsel for the parties have reached a consensus that rather than filing a formal written statement, let this petition be disposed of, to enable the authorities to deal with the concerns/grievances as are sought to be raised by the petitioner in this petition and pass the necessary orders. Learned counsel for the respondents submits that respondent No.2 being the competent authority, shall take cognizance of the matter in issue and pass appropriate orders in accordance with law within a period of 03 months after affording an opportunity of hearing to all the stakeholders.

The petition is accordingly disposed of in terms of the statement made by learned counsel for the parties.

This Court is sanguine that the competent authority shall pass a comprehensive order assigning reasons in support thereof.

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

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

15.11.2023

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Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No