

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
115**

CWP-26731-2022

Date of decision: 24.01.2023

ARATI JOSHI AND OTHERS

.....PETITIONERS

Versus

UNION OF INDIA AND OTHERS

.....RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr. Shekhar Verma, Advocate,
and Mr. Sidhant Bhonsle, Advocate,
and Mr. Aneesh Chopra, Advocate,
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

The grievances, as have been highlighted by the petitioners in the writ petition, pertain to various aspects, as have been mentioned therein including the license having been wrongly given, Sanctioned Plan etc. being violative of not only the Statute but the instructions, as have been issued by the competent authority, which have not been taken into consideration or have been ignored. Apart from this aspect, what has been pointed out is that the amenities and the other benefits, which would otherwise have been entitled to, would be curtailed or adversely affected.

For that, the petitioner had approached the respondents and filed representations/objections dated 25.08.2022 (Annexures P-25 to P-28) and 24.09.2022 (Annexure P-33).

Counsel for the petitioners states that the petitioners would file a detailed comprehensive representation to the competent authority i.e. Director General, Town and Country Planning Department, Chandigarh-respondent No. 3 within a period of two weeks from today, which may be considered and decided within some specified time. He further states that the petitioners, if need be, would approach the Haryana Real Estate Regulatory Authority for redressal of their grievances.

Notice of motion.

Mr. Satya Pal Jain, Additional Solicitor General of India, with Mr. Ashish Rawal, has put in appearance for the Union of India-respondent No. 1. Mr. Pravindra S. Chauhan, Sr. Addl. A.G. Haryana, appears for respondent No. 2. Ms. Kushaldeep Kaur, Advocate, for Mr. Ankur Mittal, Advocate, appears for respondent No. 5 and Mr. Ivan S. Khosa, Advocate, for Mr. Chetan Mittal, Sr. Advocate, appears for respondent No. 9.

Without going into the merits of the case or commenting thereon, we dispose of the writ petition with liberty to the petitioners to file a detailed comprehensive representation to the Director General, Town and Country Planning Department, Chandigarh-respondent No. 3, within a period of 15 days from today.

In case such a representation is submitted by the petitioners, the same shall be considered and a decision taken thereon within a period of three months by giving a proper notice not only to the petitioners but to the parties, who are likely to be affected by such a decision.

It is made clear that no further time shall be granted for taking a decision on the representation which may be submitted by the petitioners.

As regards the approach to the Haryana Real Estate Regulatory

Authority is concerned, it would always be open to the petitioners to avail of their remedy in accordance with law.

**(AUGUSTINE GEORGE MASIH)
JUDGE**

**(VIKRAM AGGARWAL)
JUDGE**

24.01.2023

PJ

Whether speaking/reasoned: *Yes/No*
Whether reportable: *Yes/No*