

CWP-5116-2020

Date of Decision: 20.09.2023

Sukhraj

..... Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Ms. Anjali, Advocate for
Mr. Devender Arya, Advocate, for the petitioner.
Mr. Sumit Gupta, Addl. Advocate General, Haryana.

Rajesh Bhardwaj, J. (ORAL)

Prayer in the present petition is for issuance of direction to the respondents to strictly comply with notification dated 25.01.2016 (Annexure P-1) in which Government directed to concerned authority to ensure mandatory use of ash based bricks and further direction to respondents No.2 and 3 to take departmental action against respondents No.4 to 8 for not making compliance of letter dated 25.04.2018 (Annexure P-2) sent by respondent No.3.

Notice was issued to the State and the State was directed to file the reply.

Learned counsel for the petitioner has submitted that as per the notification dated 25.01.2016, the State is to comply with the notification and use the fly ash bricks for the development work, which is not being used and thus, the provisions of the notification are being violated.

However, learned State counsel has drawn the attention of this Court to the reply filed by Karamvir Sharma, Executive Engineer, Panchayati Raj, Sonipat and has submitted that fly ash bricks are only being used. He submits that SDO, Panchayati Raj, Block Kharkhoda had submitted his report, in which, it was found that about 2405100 fly ash bricks had been used in the

development work carried out in the block Kharkhoda. He further submits that though the Panchayats of the other villages initially objected to the use of fly ash bricks, however, lateron they also agreed for using these fly ash bricks. It is submitted that for the development works the provisions of notification dated 25.01.2016 would be complied with and the bricks as per mandate of the notification would be used.

After hearing learned counsel for the parties, it is apparent that the fly ash bricks, as per mandate of the notification, are being used. The present petition is disposed of with a direction to the State to adhere to the notification dated 25.01.2016 and use the fly ash bricks as per the undertaking given before this Court. The petitioner would be at liberty to pursue his further remedy in case any cause of action accrues to him.

(RAJESH BHARDWAJ)
JUDGE

20.09.2023

sharmila

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