

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of decision: 22.07.2024
CWP No.2356 of 2024 (O&M)

- 1)

Rajender Kumar Mehta and another

V/s

State of Haryana and others

....Petitioners

....Respondents
- 2)

Mahesh Kumar CS

V/s

State of Haryana and others

....Petitioner

....Respondents
- 3)

Mahender Kumar

V/s

State of Haryana and others

....Petitioner

....Respondents
- 4)

Raj Kumar Rai and another

V/s

State of Haryana and others

....Petitioners

....Respondents
- 5)

N. Venkateshwarlu

V/s

State of Haryana and others

....Petitioner

....Respondents
- 6)

Vandana Sen

V/s

State of Haryana and others

....Petitioner

....Respondents

CWP No.2356 of 2024 and
other connected cases

-2-

- 7)

CWP No.15000 of 2024

Deepika Pant

....Petitioner

V/s

State of Haryana and others

....Respondents
- 8)

CWP No.15006 of 2024

Mira Sengupta and another

....Petitioners

V/s

State of Haryana and others

....Respondents
- 9)

CWP No.15007 of 2024

Anshuman Agarwal and another

....Petitioners

V/s

State of Haryana and others

....Respondents
- 10)

CWP No.15012 of 2024

Siya Ram Singh and another

....Petitioners

V/s

State of Haryana and others

....Respondents
- 11)

CWP No.15016 of 2024

Inderpreet Kaur and another

....Petitioners

V/s

State of Haryana and others

....Respondents
- 12)

CWP No.15017 of 2024

Ankur Mathur

....Petitioner

V/s

State of Haryana and others

....Respondents
- 13)

CWP No.15026 of 2024

Onkar Chand Sud

....Petitioner

V/s

State of Haryana and others

....Respondents

CWP No.2356 of 2024 and
other connected cases

-3-

14)

CWP No.15029 of 2024

Vinod Kumar Barthwal

....Petitioner

V/s

State of Haryana and others

....Respondents

15)

CWP No.15031 of 2024

Satpal Singh Sarawat

....Petitioner

V/s

State of Haryana and others

....Respondents

16)

CWP No.15032 of 2024

Rahul Kumar Rawal

....Petitioner

V/s

State of Haryana and others

....Respondents

17)

CWP No.15040 of 2024

Rupesh Kumar Singh

....Petitioner

V/s

State of Haryana and others

....Respondents

18)

CWP No.15153 of 2024

Manoj Kumar Gupta and another

....Petitioners

V/s

State of Haryana and others

....Respondents

19)

CWP No.15162 of 2024

Kuldeep Singh

....Petitioner

V/s

State of Haryana and others

....Respondents

20)

CWP No.15281 of 2024

Dilip Kumar Badhai

....Petitioner

V/s

State of Haryana and others

....Respondents

CWP No.2356 of 2024 and other connected cases -4-



21) CWP No.15283 of 2024
Shalini Sethi and anotherPetitioners
V/s

State of Haryana and othersRespondents

22) CWP No.15286 of 2024
Ravinder Kumar Singh and anotherPetitioners
V/s

State of Haryana and othersRespondents

23) CWP No.15288 of 2024
Raj Kishore Gope and anotherPetitioners
V/s

State of Haryana and othersRespondents

24) CWP No.15289 of 2024
Animesh Kashyap and anotherPetitioners
V/s

State of Haryana and othersRespondents

25) CWP No.15301 of 2024
Ankur GargPetitioner
V/s

State of Haryana and othersRespondents

26) CWP No.15302 of 2024
Grish Kumar BadgujjarPetitioner
V/s

State of Haryana and othersRespondents

27) CWP No.15307 of 2024
Kamlesh BaggaPetitioner
V/s

State of Haryana and othersRespondents

CWP No.2356 of 2024 and -5-
other connected cases

28) CWP No.15600 of 2024

Sushmita Keshri and anotherPetitioners

V/s

State of Haryana and othersRespondents

29) CWP No.15815 of 2024

Karan Singh and anotherPetitioners

V/s

State of Haryana and othersRespondents

30) CWP No.16099 of 2024

Ankit Sethi and anotherPetitioners

V/s

State of Haryana and othersRespondents

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

Present: Mr. Dinesh Kumar Dakoria, Advocate,
for the petitioners.

Mr. Ankur Mittal, Addl. Advocate General, Haryana with
Ms. Kushaldeep Kaur, Advocate, for the respondents.

VIKRAM AGGARWAL, J.

CM-10283-CWP-2024 in CWP-2356-2024

Prayer in the present application preferred under Section 151
CPC is for placing on record the true translated copy of Mutation No.925
sanctioned on 09.02.2023 as Annexure P-14.

For the reasons mentioned in the application, the same is
allowed. True translated copy of Mutation No.925 sanctioned on 09.02.2023
is taken on record as Annexure P-14. The Registry is directed to tag the
same at an appropriate place on the case file.



CWP-2356-2024 and other connected matters

1. For the issues arising in all the aforesaid 30 writ petitions are the same so are the prayers made in them, they are being disposed of by way of this common order. The facts are being derived from CWP-2356-2024.
2. The petitioners have prayed for the following substantive relief:-

“Civil Writ Petition under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus and any other appropriate writ or order or direction directing the respondent No.2 to provide the current status of principle approval granted vide Letter Office Memo No.LC-991-JE (SK)-2023-659 dated 06.01.2023 (Annexure P-1) in favour of respondent No.3 for transfer of License No.229 of 2007 dated 28.09.2007 (Annexure P-2) and change of Developer in group housing colony over an area measuring 11.85 acres in Sector-89, District Faridabad in favour of respondent No.4 M/s Newstone Realdevelopers Pvt. Ltd. subject to fulfillment of certain conditions under Rule 17 of Haryana Development and Regulations of Urban Areas Rules 1976 and Section 3 D of the Act, 1975.

And/or

Pass an appropriate order(s) or direction(s) restraining the respondent No.4 not to continue any kind of construction/development work on aforesaid the project site and not to make any sale/alienate or create any kind of third party rights, title or interest on the properties falling under the aforesaid license without discharging its obligations/liabilities as imposed by respondent No.2 while granting principal approval for change of developer and transfer of license No.229 of 2007 dated 28.09.2007 (Annexure P-2) in favour of respondent No.4 under Rule 17 of Haryana



***Development and Regulations of Urban Areas Rules
1976 and Section 3D of the Act, 1975.”***

3. In the written statement filed on behalf of respondents No.1 and 2, it has been averred that the first prayer to provide the current status of the in-principle approval granted in favour of respondent No.3 for transfer of license No.229 of 2007 and change of developer in group housing colony over an area measuring 11.85 acres in Sector-89, Faridabad in favour of respondent No.4, has already been supplied to the petitioners vide Office Memo No.8641 dated 11.03.2024 (Annexure R-1). As regards the second prayer, it has been averred that since respondent No.3 had not fully complied with the terms and conditions of the in-principle approval for transfer of license, License No.229 of 2007 could not be transferred in favour of respondent No.4 and the same is, therefore, still in the name of respondent No.3. It has been averred that a Company Petition bearing No.IB-20(ND)/2022 titled as **Ms. Leena Batra vs. Ferrous Infrastructure Pvt. Ltd.**, is pending before the National Company Law Tribunal, New Delhi, in which IA bearing No.4165 of 2023 had been filed, wherein a prayer had been made for declaring the sale deed dated 18.01.2023 executed between respondents No.3 and 4 herein, to be null and void (Annexure R-4). In the said IA, the NCLT has passed an order on 31.01.2024, wherein it has directed the parties to maintain *status quo* with respect to the property in question till further orders (Annexure R-5).

4. Learned counsel representing the respondents submit that in view of the averments made in the written statement, nothing survives in the writ petition and the same has in fact been rendered infructuous.

5. Faced with the situation, learned counsel for the petitioners submits that he may be permitted to withdraw the writ petitions at this stage,



with liberty to approach this Court again in case any dispute still survives or arises subsequently.

6. In view of the statement made by learned counsel for the petitioners, the instant writ petitions are dismissed as having been withdrawn with the liberty prayed for.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

July 22, 2024
vcgarg

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