

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-3343-2024
Date of decision: 15.02.2024

SunitaPetitioner

Versus

The State of Haryana and othersRespondents

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

Present: Mr. Amit Jain, Advocate,
for the petitioner.

Mr. Deepak Sabherwal, Advocate,
for the respondent-HSVP.

ARUN PALLI, J. (Oral)

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

“Civil Writ Petition under Articles 226/227 of Constitution of India for issuance of a writ especially in nature of Mandamus for issuing appropriate and necessary direction to official respondents for taking necessary and appropriate strict legal action/demolition of building constructed on Plot No.332, Sector 28, Gurguram being unfit and unsafe having tilted towards Plot No.333-P, Sector 28, Gurugram causing threat to life, safely, irreparable loss, inconvenience and damage to property of petition who is owner of Plot No.333-P, Sector 28, Gurugram as well as general public at large and/or in alternative issue necessary and proper directions to official respondents to decided Legal Representation cum Notice dated 05.12.2023 (Annexure P-7) within a time bound manner in view of settled principle of law as laid down in case titled as Ghanshyam Dass V. State of Haryana, 1997 (2) RSA 168 (P&H) (DB), in interest of justice, equity and fair play.”

Concededly, the occupation certificate issued to the occupant/allottee(s) of Plot No.332, Sector-28, Gurugram, has since been revoked, as per Rule 4.12 of the Haryana Building Code, 2017, on 11.07.2023 (P-4). Whereafter, the said site has also been resumed under Section 17(4) of the Haryana Shehri Vikas Pradhikaran Act, 1977, vide order dated 26.09.2023 (P-5).

Served with the advance copy of the petition, Mr. Deepak Sabherwal, Advocate, for the respondent-HSVP, is present in Court. At the outset, he submits that authorities have also written to the Municipal Corporation, Gurugram, to disconnect the power and water connections. And even eviction proceedings, in terms of Section 18 of the Act, have been initiated.

In the wake of the above, learned counsel for the petitioner submits that nothing substantive survives in the petition and the same be disposed of, in terms of the statement made by learned counsel for the respondents.

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

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

15.02.2024
Ak Sharma

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