

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 6848 of 2024

Date of decision: 03.04.2024

Rajdarbar Iconic Venture Pvt. Ltd.

.... Petitioner

Vs.

State of Haryana and others

.... Respondents

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

Present: Mr. Amit Jhanji, Senior Advocate with
Mr. Chanchal K. Singla, Advocate and
Ms. Eliza Gupta, Advocate, for the petitioner.
Mr. Deepak Sabherwal, Advocate
for the respondent-HUDA.
Mr. Ashish Chopra, Senior Advocate with
Mr. Kartik Gupta, Advocate and
Ms. Nitika Sharma, Advocate.

ARUN PALLI, J (Oral)

The petitioner has prayed for the following substantive relief:-

“Civil Writ Petition under Article 226/227 of the Constitution of India, praying for issuance of writ in the nature of Mandamus directing the respondents to act upon the representations dated 22.11.2022 and 20.03.2023 Annexure P-31 and P-33, whereby the respondents have been duly informed about the unauthorized hazardous commercial activity being carried out in Khasra Nos.446/1/1/2 and 446/1/1/3 by some encroachers and the respondents have failed to act upon as per law.

AND

Further praying for issuance of writ in the nature of Mandamus directing the respondents to indemnify the petitioner and its Directors from any legal action on account of any fire or other mis-happening which is

likely to occur as per the report dated 06.02.2024 prepared by the Fire Department Gurugram as the concerned authorities have already been requested to act as per law for removal of the encroachments and other illegal commercial activity, in the interest of justice.”

At the outset, learned counsel for the petitioner submits that prior to the institution of this petition, the authorities were even served with a representation dated 20.03.2023 (P-33) and even though a considerable time has elapsed but the matter has not made any tangible progress, particularly when, the Deputy Director (Tech.), Fire Department, Gurugram, vide communication dated 16.03.2024, required the petitioner: to provide the fire safety system and means to escape as per requirement of National Building Code of India Part IV, 2005/2016 and apply for the Fire Safety Certificate/Renewal of Fire Safety Certificate through online portal of saralharyana.gov.in.

Served with advance copy of the petition, Mr. Deepak Sabherwal, Advocate, is present in Court on behalf of the respondent-HUDA. At the outset, on instructions, he submits that let the petitioner as also the other stake holders appear before the Director General, Fire and Emergency Services Haryana (respondent No.3) on 19.4.2024 at 11.00 AM, as regards their concerns/grievances. Whereafter, the competent authority shall pass necessary orders, in accordance with law, within a period of four weeks therefrom.

Learned counsel for petitioner is agreeable to the course suggested by the learned counsel for the respondent-HUDA and submits that let this petition be disposed of in view of the statement made by him.

In the wake of the position sketched out above, this petition is disposed of in terms of the statement made by learned counsel for the parties.

This Court is sanguine that the authorities shall consider/examine the matter in the right earnest, and pass appropriate orders,

within the time indicated by learned counsel for the respondent-HUDA, assigning reasons in support thereof.

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

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

03.04.2024
deepak

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