

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-13202-2024
Date of decision: 29.05.2024

Ambika Green Welfare Society Through its President Pritam Singh
.....Petitioner

versus

State of Punjab and others
.... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Raja Paramdeep Saini, Advocate
for the petitioner.

Mr. Vikram Preet Arora, Advocate
for respondent No.2.

RAJESH BHARDWAJ, J.

Prayer in the present petition is for directing respondents No.1 and 2 to forthwith complete the process of Regularization of the Colony “Ambika Green” situated in Village Khanpur as per the policy dated 18.10.2018 (Annexure P-1) issued by the State of Punjab and subsequent Notification dated 14.11.2022 (Annexure P-4) issued by the State of Punjab and passing of the maps of the plot holders of the colony at the earliest as the delay in regularizing the project has resulted in grave loss to the members of the petitioner-society who are facing various issues due to non-regularization. Further prayer has been made for directing respondents No.3 and 4 to immediately issue electricity connections to the plot holders of the colony “Ambika Green” without waiting for the regularization as the delay in issuing the said connections has resulted in violation of the Fundamental Rights of the members of the petitioner-Society.

It has been submitted by counsel for the petitioner that petitioner “Ambika Greens” was developed by well established Real Estate Developer. The State of Punjab formulated the policy dated 18.10.2018 wherein the procedure for regularization of the unauthorized colonies was laid down. He submits that in compliance of the said policy, the developer filed an application with the Municipal Council, Kharar seeking the regularization of the said Colony. He submits that the developer sent a letter dated 27.10.2021 for seeking the progress of his application. He further submits that the total amount of Rs.2,22,51,005/- stands deposited with the Municipal Council as on date. It is submitted that the petitioner-association had approached the office of respondent No.2 with a comprehensive representation dated 27.02.2024 but no action has been taken on the same till date.

Notice of motion.

Mr. Vikram Preet Arora, Advocate accepts notice on behalf of respondent No.2.

Heard. On hearing counsel for the parties and perusing the record, the present petition is disposed of with direction to respondent No.2-Municipal Council, Kharar through its Executive Officer to decide the representation dated 27.02.2024 (Annexure P-10) filed by the petitioner within two months from the date of receipt of certified copy of this order. Petitioner would be at liberty to pursue his remedies in case any further cause of action accrues to it.

29.05.2024
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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