

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.18526 of 2019 (O&M)

Date of Decision :15.02.2024

M/s Bhanot Brothers

.....Petitioner

Versus

Haryana Shehri Vikas Pradhikaran and others

..... Respondents

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

Present : Mr. Tushar Sharma, Advocate for the petitioner.

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

ARUN PALLI, J. (Oral):

The petitioner prays for a mandamus commanding respondent No.2-Haryana Shehri Vikas Pradhikaran, Faridbad (HSVP), to take necessary action on the communication dated 13.02.2019 (P10), issued by the Chief Administrator, HSVP.

Learned counsel for the petitioner submits that vide communication dated 13.02.2019 (P10), Chief Administrator HSVP, required the Estate Officer, HSVP, Faridabad, to examine the concerns/grievances of the petitioner, as set out in the legal notice dated 28.11.2018, and take necessary action, in terms of the HSVP policy/guidelines, issued from time to time. It is urged that even though years have rolled by, but to date, no order is passed by the competent authority. As a result, claim of the petitioner remains unaddressed. Further, in the response, submitted on behalf of HSVP, it is urged that pursuant to the decision taken in the meeting on 18.12.2018, the industrial estates, Sector 59 Faridabad, has since been transferred to HSIIDC

(respondents). Therefore, in the given circumstances, only the said Corporation is obliged to respond the claim of the petitioner. He asserts that even though HSIIDC is a party to the petition but despite repeated opportunities no response has been submitted on its behalf.

Faced with this, learned counsel for the respondents submits that let the petition be disposed of to enable the respondents to take cognizance of the matter immediately. And deal with the claim of the petitioner and pass necessary orders, in accordance with law. He submits that before any such orders are passed the petitioner would also be heard.

Learned counsel for the petitioner is agreeable with the course suggested by learned counsel for the official respondents. He submits that let the petition be disposed of in terms of statement made by him. However, it is submitted that as the matter has been pending for a considerably long time, the competent authority be directed to pass necessary orders within a specified time.

In response, learned counsel for the official respondents submits that competent authority shall pass appropriate orders, within 8 weeks from today.

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

This Court is sanguine that the competent authority would consider the claim of the petitioner in the right earnest. And the appropriate orders shall be passed within the time indicated by learned counsel for respondents.

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 above, the authority shall examine the grievance of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

15.02.2024
Manoj Bhutani

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