

CWP-16925-2024

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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP-16925-2024**Date of Decision: 23.07.2024**

Pushpa Rani

....Petitioner

Versus

State of Haryana and others

....Respondents

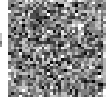
CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Robin Mahiwal, Advocate,
Ms. Monika Mahiwal, Advocate and
Mr. Virish Chaudhary, Advocate
for the petitioner.

HARSH BUNGER, J. (Oral)

1. The present Writ Petition has been filed under Article 226 of the Constitution of India seeking issuance of an appropriate writ/order/direction to restrain the action of respondent No.2 (Municipal Committee, Pehowa) in allowing respondent No.4-Balwinder Kaur to raise the illegal and unauthorized construction of her house without getting the building plan sanctioned from respondent No.2 (Municipal Committee, Pehowa) and in violation of the provisions contained in the Haryana Building Code, 2017.

2. Learned counsel for the petitioner submits that as regards the grievance made in the Writ Petition, the petitioner has already submitted a representation dated 20.06.2024 to respondent No.2-Municipal Committee, Pehowa (Annexure P-2), whereupon, although a notice was issued to respondent No.4-Balwinder Kaur, however, no action has been taken thereof and respondent No.4-Balwinder Kaur is proceeding with the construction. It has further submitted that the said construction is being carried out by

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respondent No.4-Balwinder Kaur without leaving the set back area from the adjoining buildings.

3. Ms. Upasana Dhawan, AAG, Haryana, who has appeared on behalf of respondent/State in this case, pursuant to the advance copy of petition having been sent to the State, submits that although in pursuance of the representation submitted by the petitioner, notices under Section 208 of the Haryana Municipal Act, 1973 have already been issued to respondent No.4-Balwinder Kaur and the office is proceeding to take action in accordance with law.

4. At this stage, learned counsel for the petitioner submits that the petitioner would be satisfied if time bound directions be issued to respondent No.2 (Municipal Committee, Pehowa) to consider the representations dated 20.06.2024, 24.06.2024 and 09.07.2024 (Annexures P-2, P-4 and P-7 respectively).

5. In view of the aforesaid statements made by learned counsel for the parties, the instant Writ Petition is disposed of with a direction to respondent No.2 (Municipal Committee, Pehowa) to consider and decide the aforementioned representations submitted by the petitioner within a period of four weeks from the date of receipt/production of certified copy of this order.

6. The petition is disposed of, accordingly.

7. All pending application(s), if any, shall also stand closed.

23.07.2024*Himani***(HARSH BUNGER)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No