



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 17415 of 2024
Date of decision: 31.07.2024

M/s Sidhu Industrial Corporation and another
.... Petitioners

Vs.
State of Punjab and others
.... Respondents

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

Present: Mr. Saurabh Savara, Advocate for
Mr. Gaurav Datta, Advocate
for the petitioners.

ARUN PALLI, J (Oral)

The petitioner has prayed for the following substantive relief:

“Civil Writ Petition under Article 226 of the Constitution of India for the issuance of a Writ in the nature of Mandamus from restraining the respondents No.2 to 4 from granting any permission to raise any residential construction and/or residential colony in the Industrial Zone existing as per Master Plan of the area at Village Dhudianwal, District Kapurthala.

AND

Prayer for seeking interim stay against raising of any residential construction in the Industrial Zone situated at Village Dhudianwal, District Kapurthala by private respondents No.6 and 7 during the pendency of present petition.”

With reference to the master plan (P-8), learned counsel for the petitioners submits that constructions is being raised by the private respondents adjacent to the existing industries, though no residential colony can be set up in and around the site in question. Further, prior to the institution of this petition, the petitioner had even submitted a complaint



dated April 15, 2024 (P-6) to the Chief Town Planner, Punjab (respondent No.4-District Town Planner) and a similar complaint was submitted on July 15, 2024 (P-7), to the Tehsildar, Kapurthala, but to no avail.

Served with the advance copy of the petition, Mr. Jastej Singh, Deputy Advocate General, Punjab, is present in Court on behalf of respondents No.1 to 5. At the outset, on instructions, he submits, for the complaint as also the representation (*ibid*), that are alleged to be submitted by the petitioners, are pending consideration before the competent authority, it would be expedient, if the petition is disposed of, at this stage, to enable the respondent authorities to consider their claim and pass necessary orders, in accordance with law. Further, he submits that before any such orders are passed, the petitioners, through their authorized representatives, shall also be heard. And, a formal communication in this regard will be issued to them, well in advance.

Learned counsel for the petitioners is agreeable to the course suggested by the learned State counsel and submits that let the petition be disposed of in terms of the statement made by him. However, he submits that the matter being time sensitive, the respondents be directed to take an appropriate decision/measure within a stipulated time.

To this, learned State counsel submits that the necessary orders, in accordance with law, shall be passed as expeditiously as possible.

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



This Court is sanguine that the authority shall consider/examine the matter in the right earnest, and pass appropriate orders, assigning reasons in support thereof, as expeditiously as possible.

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 petitioners, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

31.07.2024
deepak

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