

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 20263 of 2023

Date of decision: 22.02.2024

M/s Coments Industry

.... Petitioner

Vs.

State of Punjab and others

.... Respondents

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

Present: Mr. A.S. Virk, Advocate,
for the petitioner.
Mr. Rajiv K. Takker, DAG, Punjab.
Mr. Ashish Verma, Advocate
for respondents No.2 and 3.

ARUN PALLI, J (Oral)

On September 14, 2023, this Court had passed the following order:

“Inter alia contends that in pursuance of the show cause notice dated 31.05.2022 (Annexure P-7) wherein there were allegations of zoning violations regarding Industrial Plot No.F-62, Phase-VII, Industrial Focal Point, Mohali. The petitioner had prayed for time to remove the said violations by moving representation dated 25.08.2022 (Annexure P-10). It is pointed out that the violations whereby the property in question was connected to the adjoining property on the first and second floors have been duly removed while referring to photographs and the respondents were duly informed on 10.04.2023 (Annexures P-16 & P-17). However, the cancellation has been done prior to that on 10.03.2023 (Annexure P-14). It is, however, fairly pointed out that on the ground floor also, there is a room constructed (which is depicted in the photograph at page No.47 of the paperbook) which the respondents are now stating that it is also a violation. It is accordingly contended that it is a compoundable violation, as per Annexure P-18 but the respondents are not taking any action. It is further

contended that there is no remedy of appeal and the dispute is to be resolved by the mode of arbitration.

Notice of motion.

Mr.V.G.Jauhar, Addl.A.G., Punjab accepts notice on behalf of respondent No.1.

To come up for service of respondents No.2 & 3 on 13.12.2023.

In the meantime, dispossession shall remain stayed till the next date of hearing. Petitioner shall however apply for compounding in compliance of the above-said policy.”

Today, upon instructions, learned counsel for respondents No.2 and 3 submits that the respondent authorities are ready/willing to consider the concerns/grievances of the petitioner as sought to be raised in this petition and pass necessary orders in accordance with law. Further, he fairly submits that till a formal decision in this regard is made, the interim order, referred to above, would remain operative.

That being so, learned counsel for the petitioner submits that as nothing substantive survives in this petition and the same be disposed of in terms of the statement made by the learned counsel for the respondents.

Accordingly, the petition is disposed of, in terms of the statements made by the learned counsel for the parties.

However, in case any interest/cause of action still survives, the petitioner shall be at liberty to move a necessary application in this petition itself for its restoration and appropriate orders.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

22.02.2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No