



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 21796 of 2024

Date of decision: 03.09.2024

Residents Welfare Association, Faridabad

.... Petitioner

Vs.

State of Haryana and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. C.L. Sharma, Advocate, for the petitioner.

ARUN PALLI, J (Oral)

The petitioner, (Residents Welfare Association, Sector 31, South Block, Faridabad), prays for a mandamus to command the respondents not to build/create a new pocket/market at the site where the water tank of the sector existed. Further, to direct the respondents to restore/build the water tank at its original allocated place, as per the old lay out plan (P-2) of Sector 31, Faridabad.

Learned counsel for the petitioner submits that Sector 31, Faridabad, is not only a HSVP residential area, but also an HSIIDC industrial estate, that includes Mall, Hotel, Police Station, Stadium and other residential colonies. And, owing to ever increasing population in the area, the current water supply that was being released through Sector 31 booster pump, acute water problem is being faced by the inhabitants. In fact, he submits that water tank, that existed and catered to the needs of the inhabitants, had since been demolished by the respondent No.4, as per memo dated December 14, 2023 (P-6). It is urged that multiple representations, the respondent authorities have been served with in this regard, have also failed to evoke any response. Thus, this petition.

Served with the advance copy of the petition, Mr. Deepak Sabharwal, Advocate, is present in Court, on behalf of the respondents-HSVP. At the outset, he vehemently disputes the claim of the petitioner and submits that, in fact, an alternate water supply line is operative through which adequate water is being provided to the petitioner association. Thus, the grievance is misplaced. Be that as it may, he submits, for, the



representations submitted by the petitioner are alleged to be pending consideration, it would be expedient, if the petition is disposed of, at this stage, to enable the respondent authorities to take cognizance of the same and pass necessary orders, in accordance with law. Further, he submits that before any such orders are passed, the petitioner, through its authorized representative, shall also be heard. And, a formal communication in this regard will also be issued, well in advance.

Learned counsel for the petitioner is agreeable to the course suggested by the learned counsel for the respondents-HSVP 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 competent authority be directed to consider and finally decide the matter within a specified time.

To this, learned counsel for the respondents-HSVP submits that the necessary orders in this regard shall be passed within three months from today.

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, within the time indicated by learned counsel for the respondent-HSVP, assigning reasons in support thereof.

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 petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

03.09.2024
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