



CWP-20488-2023(O&M)

-1-

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

264

CWP-20488-2023(O&M)
Date of decision: 05.08.2024

Punjab Chemicals and Crop Protection Limited**...Petitioner**

Versus

State of Punjab & ors.**...Respondents****CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ**

Present : Mr. Deepanshu Mehta, Advocate,
for the petitioner(through VC).

Ms. Akshita Chauhan, DAG, Punjab.

Mr. D.S. Patwalia, Sr. Advocate with
Mr. S.K. Jain, Advocate and
Mr. Gaurav Rana, Advocate,
for respondent No.6.

VINOD S. BHARDWAJ, J. (Oral)

The petitioner has approached this Court seeking the intervention to stop the illegal construction adjacent to his Chemical Factory as the same is being in violation of the notification dated 17.09.2021 (Annexure P-5), whereby any residential development has been prohibited in the mixed land use zone wherein Red and Orange Industries are in operation.

Learned Senior counsel for respondent No.6 contends that he has obtained the change of land use from the competent authority as also approvals from Punjab Pollution Control Board as well as the Divisional Forest Officer for setting up a commercial complex. He further contends

**CWP-20488-2023(O&M)****-2-**

that the construction was not being raised with respect to a residential colony and in fact the CLU as well as electricity permissions have been obtained for commercial colony in the name of Model Town, Phase-II at Village Rauni.

Learned counsel for the petitioner raises serious objection and contends that the aforesaid permissions were obtained by respondent No.6 after issuance of notice of motion by this Court. He, however, does not dispute that as on date, respondent No.6 has been granted the requisite approvals by the competent authority and that the remedy, if any, of the petitioner against the grant of any such sanctions or permissions would only be by way of raising the challenge to such permissions in a manner known to law. In the given circumstances, learned counsel for the petitioner does not press the present petition so as to avail his appropriate/alternative remedy in accordance with law, if so advised.

Disposed as not pressed.

All miscellaneous applications also stand disposed of.

05.08.2024
monika

(VINOD S. BHARDWAJ)
JUDGE

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