

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-25093-2023 (O&M)
Date of decision: 18.01.2024

Shubham Bhatt and anotherPetitioners

Versus

State of Punjab and othersRespondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. G.S. Sandhu, Advocate,
for the petitioners.

ARUN PALLI, J.(Oral)

The petitioners herein have prayed for the following
substantive relief:

*“Civil Writ Petition under Section 226/227 of the
Constitution of India praying thereby this Hon’ble Court
to may please order issuance of a Writ especially in the
Nature of Certiorari for quashing of order/notice dated
14.09.2023 passed by Respondent No.4 (Annexure P-8)
vide which the building plan of the residential house of the
petitioners, approved on 06.01.2023 by respondents No.3
and 4 has been revoked in an illegal and arbitrary manner
without even issuing any prior notice to the petitioners and
without even hearing the version of the petitioners.*

*AND while setting aside the impugned
order/Notice direction be issued to Respondents No.1 to 7
to ensure that the petitioners are not illegally and
unnecessarily harassed by Respondents No.9 to 17 and to
further ensure protection so that they can live peacefully
and carry out construction of their residential house at*

Plot No.12-B situated inside Janta Enclave, Ludhiana without fear and danger from the private respondents, after going through the facts and circumstances mentioned in the present case.”

Served with the advance copy of the petition, Mr. V.G. Jauhar, learned Additional Advocate General, Punjab, for respondents No. 1 to 3 & 5 to 7; and Mr. Aman Sharma, Advocate, for respondent No.4, are present in Court.

At the outset, on instructions from Harpreet Singh, Law Officer, GLADA, learned counsel for respondent No.4 submits that as vide impugned order dated 14.09.2023 (P-8) the approved building plan of the petitioners was revoked without any notice or hearing, the same be deemed to have been withdrawn. And, the competent authority shall now pass fresh orders, in accordance with law. He submits that before any such orders are passed, the petitioners would also be afforded a hearing.

Learned counsel for the petitioners is in agreement with the course suggested by learned counsel for respondent No.4, and submits that let this petition be disposed of, in terms of the statement made by him. However, it is urged, for the matter is time sensitive, the competent authority be directed to pass the necessary orders within a specified time.

In response, learned counsel for respondent No.4 submits that the matter shall be finally disposed of within a period of one month from today.

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

This Court is sanguine that the authorities shall look into the matter in the right earnest. And the appropriate orders shall be passed within the time indicated by the learned counsel for respondent No.4.

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated above, the competent authority shall examine the concerns/grievances of the petitioners, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(HARKESH MANUJA)
JUDGE

January 18, 2024
Ak Sharma

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