



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-31207-2024(O&M)
Date of decision: 20.11.2024

Nehru Place Hotels Private Limited
... Petitioner
Versus
State of Haryana and another
... Respondents

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

Present: Mr. Aashish Chopra, Senior Advocate, with
Mr. Gagandeep Singh, Advocate,
for the petitioner.

Mr. Ankur Mittal, Additional Advocate General, Haryana,
Ms. Kushaldeep Kaur, Advocate, and
Ms. Saanvi Singla, Advocate.

ARUN PALLI, J. (Oral)

A mandamus is prayed for, commanding the State Level Committee, constituted by the Government of Haryana, to consider and decide the case of the petitioner, regarding release of its land measuring 1 acre (8 kanals), from the Natural Conservation Zone.

Learned Senior counsel for the petitioner submits that petitioner happens to be the owner of a land measuring 2.84 acres, comprised in specific khasra numbers set out in the petition, situated in village Lakkarpur, Tehsil and District Faridabad. He submits that petitioner to set up a Group Housing Colony, vide application dated January 21, 2010, applied for a licence to the Director General, Town and Country Planning, Haryana (DGTCP). And, licence No.52 of 2012, dated May 24, 2012, was issued to the petitioner, for developing a commercial colony on the land measuring 2.609 acres. Even, the environmental clearance with respect to construction was also granted vide letter dated September 4, 2013 (P-8). Subsequently, vide applications dated December 3, 2013 (P-9) and August 12, 2016 (P-10), the petitioner asked for approval(s) of Building plans. It is submitted that as per the report dated 22.09.2021, furnished by the District Level Committee, the land owned by the



petitioner does not fall within the Natural Conservation Zone. However, the applications for approval of building plans submitted by the petitioner were never considered. It is submitted that several others, who were similarly circumstanced as the petitioner, had approached this Court vide **CWP No. 13212 of 2024** (Omaxe Limited and others v. State of Haryana and another) and **CWP No.18979 of 2024** (Shriji Realty (India) Pvt. Ltd. v. State of Haryana and another). And those petitions were disposed of by this Court with a direction to the State Level Committee to take a final decision on the recommendations of the District Level Sub Committee, within a specified time. It is submitted that although the petitioner had even served the respondent-authorities with a representation dated 23.08.2024 (P-23), for release of its land measuring 1 acres (8 kanals) from the Natural Conservation Zone, but to no avail. Thus, this petition.

Served with the advance copy of the petition, Mr. Ankur Mittal, Additional Advocate General, Haryana, is present in Court. At the outset, he, on instructions, submits that since the competent authority is already in *seisin* of the concerns/grievances of the petitioner, as set out in the petition, it would be expedient if the petition is disposed of, at this stage, to enable the State Level Committee to consider and decide the same, in accordance with law.

Learned Senior counsel for petitioner is agreeable to the course suggested by the learned State counsel. However, he submits for the matter has been pending consideration of the State Level Committee, and with each passing day the interest of the petitioner is severely impaired, therefore, the respondents be directed to decide the same within a specified time.

To this, learned State counsel submits that appropriate orders shall be passed within 6 weeks from today. And before any such orders are passed, the petitioner shall also be heard and a formal communication in this regard will be issued well in advance.

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 authorities shall consider/examine the matter in the right earnest, and pass appropriate orders, within the time indicated by learned State counsel, 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

20.11.2024
Rajan

Whether speaking / reasoned:	YES/NO
Whether Reportable:	YES/NO