



CWP-2922 of 2025

1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-2922 of 2025

Date of Decision: November 20, 2025

Vivek Dutta

..... Petitioner

Versus

State of Haryana and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: - Mr. Gaurav Verma, Advocate for
Mr. Kamal Chaudhary, Advocate
for the petitioner.

Ms. Upasana Dhawan, AAG., Haryana.

Mr. Arvind Seth, Advocate for
Mr. Rajesh Gaur, Advocate
for respondent Nos. 3 & 4.

HARSH BUNGER, J. (ORAL)

1. The prayer in the present petition filed under Articles 226/227 of the Constitution of India is for issuance of a writ in the nature of Mandamus for directing respondent No.3-Municipal Corporation, Faridabad to regularize the structures of the petitioner in view of his application dated 30.06.2014 (Annexure P-3) in terms of the regularization Policy dated 20.08.2014 (Annexure P-2) issued by the State of Haryana.

2. Today, Mr. Arvind Seth, Advocate has put in appearance on behalf of respondent Nos. 3 and 4 and has handed over a copy of office Memo dated 14.07.2017 issued by the Municipal Corporation,

Faridabad addressed to the petitioner herein which reads as under:-

*“From
Joint Commissioner (F)
Municipal Corporation, Faridabad (Old Zone)
To
Sh. Mahender Pratap & Sh. Vivek,
R/o H.No. 1335, Sector-17, Faridabad.*

Memo no. MCF/JC(F)/2017/350 Dated: 14.7.2017

Sub.: -Regularization of unauthorized banquet hall/marriage palace of operated under M/s Anand Farm House, Revenue Estate of Village Mewla Maharajpur, Faridabad.

Ref: Your application dated 30.06.2014 and in continuation of this office memo no. MCF/CTP/2014/411 dated 01.08.2014.

On the subject cited above it is intimated that the documents received with letter under reference have been examined and found the following observations:-

- 1. All the documents submitted by you are not attested.*
- 2. You have not submitted original copies of latest jamabandi, mutations and sajra plan showing the width of approach.*
- 3. You have not submitted ownership documents alongwith clear title of land.*
- 4. You have not submitted site plan / key plan and detailed building plan of unauthorized construction made at site.*
- 5. You have not submitted NOC from Fire Department, Forest Department, HUDA/L.A.*
- 6. You have not submitted NOC from MCF, Zonal Taxation Officer and Planning Branch of MCF.*
- 7. You have not submitted structure stability certificate from a qualified structural engineer.*
- 8. You have not submitted copy of Draft Development Plan 2031 AD, Faridabad showing the site.*
- 9. You have not submitted satellite imaginary showing the location of site on a scale atleast 1:50.*
- 10. You have not submitted scrutiny charges @ Rs. 10/- per square meter of the applied area in favour of Commissioner, Municipal Corporation, Faridabad.*
- 11. You have not submitted consent/undertaking for compounding the unauthorized construction.*

Therefore, you are requested to rectify the above observations and submit documents in five sets within a period of 10 days otherwise necessary action shall be taken as per law.

Joint Commissioner(F)”

3. Learned counsel for the State has drawn attention of this Court to Annexure R-3 attached with the written statement dated 16.09.2025 filed on behalf of respondent No.6. It is contended that since the land in question falls within the area notified under Section 4 of the Punjab Land Preservation Act, 1900 the petitioner was mandatorily required to obtain prior approval from the Central Government under Section 2 of Forest Conservation Act, 1980 and keeping in view the observations made by the Hon’ble Supreme Court of India in Civil Appeal No. 10294 of 2013 titled as **Narinder Singh and others Vs. Divesh Bhutani and others** (decided on 21.07.2022) the representation of the petitioner has already been rejected.
4. Faced with the aforesaid situation, learned counsel for the petitioner submits that he may be permitted to withdraw the present petition with liberty to the petitioner to avail his other remedies, which may be available to him in accordance with law.
5. In view of the above, present petition is dismissed as withdrawn with liberty as aforesaid.
6. All pending application(s), if any, shall also stand disposed of.

(HARSH BUNGER)
JUDGE

November 20, 2025
archana

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No