



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(129)

CWP No. 4415 of 2025

Date of Decision : 20.02.2025

Maruti Suzuki Struggle Committee and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. R.S. Cheema, Senior Advocate with
Mr. Arjun Sheoran, Advocate,
Mr. A.S. Cheema, Advocate and
Mr. Siddharth Bhukkal, Advocate for the petitioners.

Mr. Gaurav Jindal, Additional Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the grievance being raised by the petitioners is that vide order dated 28.01.2025 (Annexure P-14A), the provisions of Section 163 of Bharatiya Nagrik Suraksha Sanhita, 2023 have been invoked and certain restrictions have been imposed by the said order.

2. Learned senior counsel appearing on behalf of the petitioners, *inter-alia*, submits that wherever, the powers have been invoked under Section 163(1) of the Bharatiya Nagrik Suraksha Sanhita, 2023 by the competent authority, the same can be reviewed either on its own motion or an application and keeping in view the fact that the petitioners intended to have a peaceful Dharna at a particular place, where the provisions of Section



163 of Bharatiya Nagrik Suraksha Sanhita, 2023 have been invoked, an application was filed for passing appropriate order under Section 163(5) of Bharatiya Nagrik Suraksha Sanhita, 2023 so as to allow a peaceful Dharna.

3. Learned senior counsel submits that the said application has been kept pending for the last more than three weeks, which is causing prejudice and the only endeavour of the petitioners is to request this Court to direct the appropriate authority to decide the applications dated 01.02.2025, copies of which have been collectively attached as Annexure P-15, which have already been received by the concerned authorities on 03.02.2025, by passing appropriate speaking order so that there is no prejudice is caused to the petitioners.

4. Notice of motion.

5. On the asking of the Court, Mr. Gaurav Jindal, Additional Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State.

6. Learned State counsel submits that in case, the request of the petitioners raised under Section 163(5) of Bharatiya Nagrik Suraksha Sanhita, 2023, copies of which have been collectively attached as Annexure P-15 dated 01.02.2025, are still pending consideration before the appropriate authority such as the Deputy Commissioner, Gurugram, the said request will be disposed of by 22.02.2025 till 5.00 p.m. and the order so passed will be conveyed to the petitioners for their information and necessary action.

7. Learned senior counsel submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further at this stage, with liberty to



avail appropriate remedy in case, any action of the respondents causes prejudice to the petitioners.

8. Ordered accordingly.

February 20, 2025
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No