

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

2025:PHHC:056184-DB



(231)

CWP-11698-2020 (O&M)

Date of Decision:- 30.04.2025

The Magnolias Flatowners Association and others

.....Petitioners

Versus

Department of Town and Country Planning Haryana and others

.....Respondents

**CORAM: HON'BLE MR JUSTICE SUDHIR SINGH
HON'BLE MR. JUSTICE ALOK JAIN**

Present: Mr. Vidur Mohan, Advocate,
Mr. Gurmandeep Sullar, Advocate,
Mr. Prerak Khurana, Advocate and
Mr. Hanessh Kumar, Advocate for the petitioners.

Mr. Ankur Mittal, Addl. A.G. Hayana,
Mr. Karan Jindal, AAG, Haryana, and
Ms. Kushaldeep Kaur, Advocate for respondent No. 1.

Mr. Randeep S. Rai, Senior Advocate with
Mr. Chetan Mittal, Senior Advocate with
Mr. Rajeev Anand, Advocate,
Mr. Ritvik, Advocate, Ms. Radhika Mehta, Advocate and
Mr. Udit Garg, Advocate for respondents No. 2 and 3.

Mr. Amit Jhanji, Senior Advocate with
Ms. Nandita Verma, Advocate and
Ms. K. Sara, Advocate for respondent No. 4.

Mr. Anand Chhibber, Senior Advocate with
Mr. Abhinav Sood, Advocate and
Ms. Achintaya Soni, Advocate for respondents No. 6 to 13.

SUDHIR SINGH, J.

The petitioners have sought issuance of a writ in the nature
of Mandamus directing respondent No. 1 to take all necessary action

ensuring compliance of order dated 01.02.2020 (Annexure P-13) and remove the illegal construction by respondents No. 2 and 3 in tower No. 12 of the Magnolias Complex.

2. Learned counsel appearing for the respondents point out that in respect of the grievance raised in the present writ petition, the petitioners have an alternate remedy of appeal under Section 19 of the Haryana Development and Regulation of Urban Areas Act, 1975.

3. The aforesaid legal position could not be disputed by the learned counsel for the petitioners.

4. In view of the above, without going into the merits of the case, the present writ petition is disposed of with liberty to the petitioners to avail the remedy of appeal as stipulated under Section 19 of the aforesaid Act.

5. Needless to say that in case any such appeal is filed by the petitioners, the authorities shall decide the same expeditiously in accordance with law.

(SUDHIR SINGH)
JUDGE

(ALOK JAIN)
JUDGE

April 30, 2025

Parul

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No