



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

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CWP-29433-2024

Date of decision: 23.01.2025

CHAUDHARY CHHOTE LAL SAINI COLLEGE OF
ARCHITECTURE AND PLANNING HASSNGARH

....Petitioner

Versus

UNION OF INDIA AND OTHERS

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SUMEET GOEL**

Present:- Mr. Neeraj Saini, Advocate for the petitioner.

Mr. Himanshu Malik, Advocate for respondent no.1.-UOI.

Mr. Satvik Bansal, Advocate for
Mr. Abhilash Verma, Advocate for respondent no.2.

SHEEL NAGU, CJ (Oral)

Present petition filed under Article 226/227 assails letter dated 09.10.2024 (Annexure P-8), by which the Institute of Town Planners, India has declined to grant provisional approval to the petitioner-College for Master in Planning Course (Two Years), the course proposed to be commenced by the petitioner-Institute.

It is not disputed that the aforesaid impugned decision has been taken based on an Expert Committee's report of 4.9.2024. On the asking of this Court, the respondent no.2 has filed reports based on Inspections carried out on 15.02.24, 27.04.24 and 04.09.24 vide Annexures R-9, R-13 and R-16 respectively. The aforesaid reports based on the aforesaid inspections reveal existence of certain deficiencies in the basic infrastructure in various attributes

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which are required to be fulfilled by the Institute to be entitled to gain approval. Though, learned counsel for the petitioner has not filed any replication but has disputed the aforesaid reports.

Since disputed questions of facts are involved, which ought not to be gone into while exercising the writ jurisdiction under Article 226, this Court declines interference on merits and relegates the petitioner for the cause to be raised before the competent authority which respondent no.2 has agreed to be constituted in terms of this order.

Accordingly this petition stands disposed of with a direction that the competent authority as constituted by respondent no.2 should consider the claim of the petitioner on the basis of the aforesaid three reports and after affording due and sufficient opportunities to the petitioner to place additional relevant material and evidence to decide the question as to whether the impugned order Annexure P-8 ought to be sustained or set aside.

Let the aforesaid decision be taken by passing a speaking order within a period of six weeks.

**(SHEEL NAGU)
CHIEF JUSTICE**

**(SUMEET GOEL)
JUDGE**

January 23, 2025
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Whether speaking/reasoned
Whether reportable:

Yes
Yes/No