IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

118 **CWP-7670-2026**
Date of Decision:13.03.2026

VIMAL KUMAR AND OTHERS **...PETITIONERS**

VERSUS

STATE OF HARYANA AND OTHERS **...RESPONDENTS**

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Aashish Chopra, Senior Advocate with
Ms. Rupa Pathania, Advocate,
Mr. Abhinav Kaushik, Advocate and
Mr. Vaibhav Narang, Advocate for the petitioners.

Mr. Deepak Bhardwaj, Addl. A.G., Haryana.

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SUVIR SEHGAL, J.(ORAL)

1. Petitioners are the occupiers of Tower 'A' of a commercial project 'Central Plaza Mall' at Village Wazirabad, Gurugram. Their grievance is that by virtue of impugned show cause notice dated 11.12.2025, Annexure P-1, issued to builder under Rule 18(2) of the Haryana Development and Regulation of Urban Areas Rules, 1976, respondents are proceeding to cancel the license, but no notice has been given to the occupants.

2. Learned senior counsel for the petitioners has pointed out that a copy of this notice has been forwarded to the District Town Planner (E), Gurugram, with instruction to seal the premises. It is his contention that there is no provision for sealing of premises or for taking any coercive action simultaneously with issuance of a show cause notice or for restraining the

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occupiers from alienating or creating any interest in the property.

3. Advance copy of the petition has been served upon the respondents.

4. Upon instructions from Ms. Sunaina, DTP, Gurugram, State counsel submits that petitioners shall be given a hearing alongwith the builder on 19.03.2026 at 03.00 PM by the Director, Town and Country Planning, at Plot No.3, Nagar Yojna Bhawan, Sector 18-A, Madhya Marg, Chandigarh. He has instructions to state that no occupation certificate for Tower 'A' has ever been granted and it has been unauthorizedly occupied. He states that a criminal case has been registered against the builder in the year 2018.

5. Be that as it may, rights of the petitioners, who are occupants, are directly affected and they deserve to be afforded a hearing. Till the time they are not heard and an appropriate order is not passed by competent authority, no coercive steps can be taken against petitioners.

6. With the above observation, writ petition is disposed of.

7. In case, any order is passed to the detriment of petitioners, it shall not be given effect to for a fortnight, so that petitioners, if so advised, can avail the remedy available to them in accordance with law.

(SUVIR SEHGAL)
JUDGE

13.03.2026 **(DEEPAK MANCHANDA)**
sheetal **JUDGE**

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No

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