



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

**CWP-7537-2026 (O&M)
Date of Decision: 12.03.2026**

SMT INDU NAGPAL THROUGH HER LRSPETITIONER(S)

VERSUS

STATE OF HARYANA AND OTHERSRESPONDENT(S)

**CORAM:- HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. Shashank Shekhar Sharma, Advocate for the petitioners.
Mr. Rajesh Gaur, Addl., AG, Haryana.

ASHWANI KUMAR MISHRA, J. (Oral)

1. The petitioners are aggrieved by the grant of a licence by the Department of Town and Country Planning, Haryana in respect of a piece of land which is the subject matter of Original Suit No.1012-2021.

2. It is asserted that in terms of the policy of the State, no such licence could have been granted for land which was already encumbered. The grievance is that, notwithstanding such policy, and on the basis of a false representation made by the private respondents that the land is unencumbered, the licence has been issued. A complaint in that regard was lodged with the concerned authority way back in September, 2025, but no decision has been taken. It is submitted that in the suit, injunction has been denied but the principles of *lis pendens* have been applied, and a direction has been issued to record the pendency of the suit in the revenue records.

3. Learned State counsel, who has appeared on advance notice, states that such issues of fact can be gone into by the competent authority

in the first instance.

4. Considering the nature of the order proposed to be passed, we do not deem it necessary to issue notice to private respondents No 3 to 8.

5. In the facts of the case, we permit the petitioner(s) to approach the respondent No.2-Director, Town and Country Planning, Haryana, along with a copy of this order, annexing all materials in support thereof. The respondent No.2-Director, Town and Country Planning, Haryana shall cause notices to be served upon the private respondents and thereafter proceed to pass appropriate orders on the complaint lodged by the petitioner(s) in accordance with law, keeping in view the applicable rules and policy. Such decision shall be taken within a period of three months.

6. It is made clear that we have not expressed any opinion on the merits of the case.

7. ***Disposed of*** in above terms.

8. All pending miscellaneous application(s), if any, also stand disposed of.

[ASHWANI KUMAR MISHRA]
JUDGE

[ROHIT KAPOOR]
JUDGE

MARCH 12, 2026
Rahul Joshi

1. Whether Speaking/reasoned	Yes/No
2. Whether Reportable	Yes/No