



119

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

**CWP-870-2025 (O&M)**

**Date of decision: April 02, 2025**

GLS Infraprojects Private Limited

....Petitioner

versus

State of Haryana and another

....Respondents

**CORAM: HON'BLE MR. JUSTICE SUDHIR SINGH  
HON'BLE MRS. JUSTICE SUKHVINDER KAUR**

**Present:-** Mr. Anil Mehta, Advocate and  
Mr. Prashant Kumar Kapila, Advocate for the petitioner.

Mr. Ankur Mittal, Additional AG Haryana with  
Mr. Gaurav Bansal, DAG Haryana and  
Mr. Karan Jindal, AAG Haryana.

\*\*\*\*\*

**SUDHIR SINGH, J. (ORAL)**

Present Writ Petition herein, *inter alia*, is for issuance of a Writ in the nature of Certiorari for setting aside the impugned order dated 31.01.2024 (Annexure P-4) in so far as it makes colonizers/ developers liable to provide certain services and facilities free of cost in contravention of the Section 3(3)(a)(iii) of the Haryana Development and Regulation of Urban Areas Act, 1975 (for short 'the Act of 1975'), the Haryana Development and Regulation of Urban Areas Rules, 1976 (for short 'the Rules of 1976') and the Haryana Apartment Ownership Act, 1983 (for short 'the Act of 1983').

2. Learned counsel for the petitioner submits that the impugned order purports to issue a clarification under Section 23A of the Act of 1975. The said

clarification exceeds the scope of Clause 4(v) of the Affordable Housing Policy dated 19.08.2013, and the same being *non est* deserves to be set aside.

3. On the other hand, on advance service of copy of petition, learned State counsel appears and opposes issuance of notice of motion. He submits that there is an alternative remedy available to the petitioner, by filing an appeal under Section 19 of the Act of 1975, for redressal of its grievance.

4. Faced with the situation, learned counsel for the petitioner is amenable to the same, and seeks a liberty to file an appeal, as aforesaid.

5. Given the nature of order being passed, there is no necessity to seek reply by any of the respondents as no further proceedings and/or pleadings are required.

6. Considering the aforesaid, this writ petition is disposed of, with a liberty to the petitioner to file an appeal under Section 19 of the Act of 1975 for redressal of its grievance. In case, any such application is made, the authority concerned shall consider all the points raised by it and pass an appropriate order, in accordance with law, preferably within a period of 06 weeks.

7. Pending application(s), if any, shall also stand disposed of.

**(SUDHIR SINGH)**  
**JUDGE**

**(SUKHVINDER KAUR)**  
**JUDGE**

**April 02, 2025**

mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No