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

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CWP-15729-2025

Date of decision : 28.07.2025

Ravindra Kumar Rao

... Petitioner

Versus

State of Haryana and others

... Respondents

**CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL  
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present:- Mr. Jagjeet Beniwal, Advocate for the petitioner.

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

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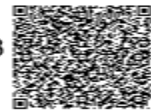
**Anupinder Singh Grewal, J. (Oral)**

The petitioner is seeking a direction to the respondents to take action on the illegal and unauthorized constructions carried out in Tower-C of the residential complex.

2. Learned counsel for the petitioner submits that the private respondents have raised illegal construction in the form of a terrace garden on the roof of Tower-C and the entire structure as well as surrounding structures of the building are being endangered.

3. Heard.

4. The petitioner is stated to be residing in Flat No.A-091, Brisk Lumbini Terrace Homes, Sector 109, Gurugram. He is aggrieved by the roof top garden of Tower-C. He had approached the official respondents, who after looking into his complaint, have found that the construction carried out by private respondents is not illegal. It has been found that the owners of Flat No.C-132 in Tower-C are using terrace above their flats as garden and there is



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no unauthorised construction. The respondents have submitted the conveyance deed and have stated that they have exclusive roof rights over the terrace.

5. We have perused the building layout at Annexure P-8. The petitioner is residing in Tower-A and the roof top green garden is stated to be in Tower-C while there is Tower-B in between as well. Therefore, the flat of the petitioner which is situated in Tower-A is at some distance from the flats of the private respondents in Tower-C.

6. Learned State counsel, upon instructions from District Town Planning (Enforcement), Gurugram, submits that although there is a provision for having a green land on the terrace but the audit report indicates that there could be a structural instability due to filling of soil and appropriate remedial measures are being initiated.

7. In view of the above, the grievance of the petitioner appears to have been substantially redressed and the petition is disposed of with a direction to respondents No.2 & 3 to ensure that there is no danger to the stability of the structure and the remedial measures be undertaken without any delay and in any event within a month from now.

**(ANUPINDER SINGH GREWAL)**  
**JUDGE**

**(DEEPAK MANCHANDA)**  
**JUDGE**

**July 28, 2025**

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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No