

239 **CWP-PIL-114-2026**

COURT ON ITS OWN MOTION

V/S

STATE OF HARYANA AND OTHERS

Present: Mr. Deepak Balyan, Addl., AG, Haryana.

1. Cognizance in the present Public Interest Litigation (**PIL**) petition was taken *suo motu* on 29.04.2026, on account of the inordinate delay in the completion of the construction work of the New Judicial Courts Complex (Tower of Justice), at Gurugram. It was earlier scheduled to be completed by 30.10.2020. Despite repeated assurances, the construction was not completed, on account of which cognizance was taken of the cause by this Court. The matter has remained pending. Assurances have been extended from time to time by the State authorities, that the ongoing construction work would be concluded, for which time was lastly extended till 19.06.2026.

2. While the matter remained pending, the State authorities informed the District Judgeship that the complex would be completed by 30.06.2026. In the meantime, a fire incident has occurred in the existing Court Complex, as a result of which a large number of Court records were destroyed, and large part of existing Court building also collapsed. The State authorities have declared the entire existing Court building to be unfit for occupation. This has posed a serious threat to the functioning of the District Judgeship at Gurugram itself.

3. After the fire incident, the Court has been shifted to a guest house from where it is presently operating. It is quite obvious that the

regular functioning of the Court has been severely hampered, and only urgent matters are being attended to. This situation calls for immediate intervention. It is in this context that the State authorities were requested to expedite the ongoing construction process so that the Court could be shifted to the new complex on its re-opening after summer vacations. When this matter was listed on 01.07.2026, the Engineer-in-Chief (Buildings)-cum-HOD, Haryana, PWD (B&R), Chandigarh placed on record a communication addressed to him by the Executive Engineer stating that the newly constructed building is complete and ready for handing over. A communication was reportedly sent to the District and Sessions Judge, Gurugram to initiate the process of handing over the building. It was also recorded in the said communication that the formal inauguration of the Court Complex is proposed on 12.07.2026.

4. Taking note of the said communication, we called for a report from the District Judge concerned *vide* our order dated 01.07.2026. The District and Sessions Judge, Gurugram has submitted his report in compliance with our previous order, as per which the premises were inspected on 01.07.2026 and 02.07.2026, and it was found that the exterior as well as the interior work of the building was incomplete at several places. The exterior fascia also required repairs and final touches. The interior work remained incomplete at many places. The furniture had also not been supplied and installed in the Court premises. The District and Sessions Judge, Gurugram has further noticed that the basement area of the New Judicial Courts Complex was inundated during the rains on 07.07.2026, as sewerage water had backfired. The Municipal Authorities had been asked to

resolve the issue. The District and Sessions Judge, Gurugram has also informed that the Environmental Clearance (*EC*) certificate from the Pollution Control Board and clearance from the Fire Department are still awaited. The concerned Executive Engineer also informed the District and Sessions Judge, Gurugram that the clearances/permissions for the operation of the lifts and escalators installed by the concerned company would also be obtained.

5. When the matter was taken up yesterday, we confronted the learned Additional Advocate General, Haryana with the contents of the report of the District and Sessions Judge, Gurugram. Learned Additional Advocate General, Haryana sought time till today to obtain appropriate instructions.

6. Today, when the matter is taken up, the Engineer-in-Chief (Buildings)-cum-HOD, Haryana, PWD (B&R), Chandigarh is present before the Court. On the basis of the instructions obtained from the Engineer-in-Chief (Buildings)-cum-HOD, Haryana, PWD (B&R), Chandigarh, learned Additional Advocate General, Haryana makes a statement before the Court that the building is now complete in all respect and all pending works have been completed. A statement is also made before the Court that if any further shortcoming is found, the same shall be rectified without any further loss of time. An affidavit has also been filed stating that all statutory norms have been complied with and that an application has been submitted for obtaining EC certificate.

7. So far as the clearance from the Fire Department is concerned, the authorities have applied for the necessary permission, and the fire

authorities have also inspected the premises. The officials of the Fire Department have informed that there is no shortcoming in the building according to applicable norms and the necessary certificates would be issued within a day or so. So far as the EC from the Pollution Control Board is concerned, we are informed that a detailed process has to be undertaken for such purpose, which has since been initiated.

8. The Engineer-in-Chief (Buildings)-cum-HOD, Haryana, PWD (B&R), Chandigarh has made a statement that there is no deviation from the norms in the complex prescribed for EC, and that the building complies with all statutory norms for EC. The permission from the concerned authority is also likely to be obtained shortly.

9. Ordinarily, we may have waited for all such steps to be taken, but as we find that the judicial work in the District Court Complex is severely curtailed, any further delay in the shifting of the Court would be prejudicial to the public at large. We also record the statement of the Engineer-in-Chief (Buildings)-cum-HOD, Haryana, PWD (B&R), Chandigarh that, in the event any shortcoming is still noticed in the building, the same shall be rectified forthwith.

10. Considering the peculiar facts prevailing at the District Judgeship, Gurugram, where the judicial work is severely curtailed, we are of the view that the shifting of the District Judgeship, Gurugram to the New Judicial Courts Complex, Gurugram (Tower of Justice) at Gurugram is inevitable in the predominant public interest. In view of the statement made by the Engineer-in-Chief (Buildings)-cum-HOD, Haryana, PWD (B&R), Chandigarh, as per which the building is complete and all statutory

compliances have been made, we permit the State authorities to ensure that the shifting of the Court Complex is carried out forthwith, awaiting formal statutory approvals from the Pollution Control Board and the Fire Department and that the formal inauguration, *etc.*, of the complex (Tower of Justice) be proceeded with.

11. An affidavit reporting compliance with the above directions shall be filed by the next date of hearing.

12. Adjourned to **21.07.2026**.

**[ASHWANI KUMAR MISHRA]
ACTING CHIEF JUSTICE**

**[ROHIT KAPOOR]
JUDGE**

JULY 09, 2026

Rahul Joshi