

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.W.P. No. 15660 of 2015

Date of Decision: August 03, 2015

Manmohan Singh

...Petitioner

Versus

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL
HON'BLE MR.JUSTICE HARINDER SINGH SIDHU**

Present: Mr. Rajendar Chhokar, Advocate,
for the petitioner.

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SATISH KUMAR MITTAL, J. (Oral)

The petitioner is seeking direction to the official respondents to stop the illegal practice of transfer of plots/land by the HUDA authorities on the basis of Gift Deeds executed out of relation. It has been further prayed that a direction be issued to respondents No.1 and 2 to take appropriate action against the land mafia and the errant officials, involved in this unlawful practice, thereby causing loss to the public exchequer.

The grouse of the petitioner is that the employees of HUDA in connivance with private parties sold away these plots by way of Gift Deeds. It has been alleged that in fact the Gift Deed can be executed only in blood relations, whereas the purchasers have no blood relation with the said allottees. It has been further alleged that the Gift Deed is always executed without any consideration, but in this case even the first installment of the said plots was paid by the private respondents in the account of the allottees

and that is why it cannot be described as a Gift Deed, rather it is a sale deed.

It has been also alleged that in the allotment letters there is a specific condition that all these plots were not permitted to be transferred/sold for a period of five years from the date of allotment, but the same have been allowed to be transferred by the HUDA authorities on the basis of invalid documents of Gift Deed. In this regard, a detailed representation has been filed by the petitioner, copy of which has been annexed as Annexure P-5.

After hearing the learned counsel for the petitioner, without issuing notice to the other side as it will unnecessarily delay the matter, we dispose of this petition with direction to respondent No.5 to consider and decide the said representation by passing a speaking order, in accordance with law, expeditiously.

(SATISH KUMAR MITTAL)
JUDGE

August 03, 2015
vkg

(HARINDER SINGH SIDHU)
JUDGE