

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

CWP-3358-2015

Date of decision:- 18.08.2015

Sneh Kaushal

...Petitioner

Versus

Haryana Urban Development Authority, Panchkula and another

...Respondents

CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Parminder Singh, Advocate,
for the petitioner.

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S.J. VAZIFDAR, A.C.J. (ORAL)

Notice of motion.

Service is waived, as Mr. Amar Vivek, learned Additional Advocate General, Haryana accepts notice on behalf of the respondents.

The petitioner had applied to the 1st respondent – Haryana Urban Development Authority for a transfer of the property in her name. The application was rejected by the impugned order dated 17.04.2013 (Annexure P-9) only on the ground that the Supreme Court had held that it was time to put an end to the pernicious practice of purported sales on the basis of General Power of Attorney. The order further states that the Special Power of Attorney had not been entered into till date and had not been acted upon. The petitioner's application for transfer, however, is not based only upon a General Power of Attorney. It is also based upon a registered sale deed No. 242/1 dated 11.04.2012. This has not been considered.

2. The impugned order is, therefore, quashed and set aside. The respondents are directed to take a fresh decision for transfer after considering the entire application including the alleged registered sale deed. The respondents shall decide the matter within three months from today.

(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE

(TEJINDER SINGH DHINDSA)
JUDGE

18.08.2015

Amodh

AMODH SHARMA
2015.08.19 13:08
I attest to the accuracy and
authenticity of this document
chandigarh