

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 7502 of 2015

Date of Decision: 29.6.2015

Jetha Singh

....Petitioner.

Versus

Greater Mohali Area Development Authority, SAS Nagar

...Respondent.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MRS. JUSTICE REKHA MITTAL.**

PRESENT: Pt. Hari Om Sharma, Advocate for the petitioner.

Mr. Sanjeev Soni, Advocate for the respondent.

AJAY KUMAR MITTAL, J.

1. The petitioner, through the instant petition filed under Articles 226/227 of the Constitution of India, has prayed for issuance of a writ in the nature of Mandamus directing the respondent to charge interest on the plot measuring 300 square yards allotted to him vide letter of intent in Freedom Fighter Category at IT City, SAS Nagar against his application Form No. 6379 from the date of delivery of possession and not from the date of issue of letter of interest.

2. The petitioner was allotted a residential plot measuring 300 square yards vide letter of intent dated 8.7.2014 (Annexure P-1) in Freedom Fighter Category at IT City, SAS Nagar against his application Form No. 6379. The said allotment was made at the tentative price of ₹ 23,500/- per square yard and the petitioner has to pay a sum of ₹ 18,15,000/- being 30% of the tentative price of the plot. In addition

thereto, he has to deposit 2% for Drug Addiction Treatment Infrastructure Fund. The interest of installments was to be charged from the date of possession and not from the date of issue of letter of intent for the allotment of residential plot. The petitioner paid the amount on various dates and thereafter submitted an application dated 29.7.2014 (Annexure P-2) to the respondents that they cannot claim interest until possession is delivered to him, but to no effect. Accordingly, the petitioner sent a legal notice dated 10.3.2015 (Annexure P-3) upon the respondent but no response has been received till date. Hence, the present writ petition.

3. Learned counsel for the petitioner submitted that for the relief claimed in the writ petition, the petitioner has sent a legal notice dated 10.3.2015 (Annexure P-3) to the respondent, but no action has so far been taken thereon.

4. After hearing learned counsel for the parties, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petition by directing the respondent to take a decision on the legal notice dated 10.3.2015 (Annexure P-3), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner within a period of three months from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

June 29, 2015
gbs

(REKHA MITTAL)
JUDGE