

CWP No.25851 of 2015

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

CWP No.25851 of 2015
Date of decision: 08.11.2016

Smt. Ranbir Kaur

....Petitioner

Versus

State of Punjab and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE RAMENDRA JAIN**

Present: - Mr. Sudhanshu Makkar, Advocate, for the petitioner.
Mr. Rajinder Goyal, Addl. A.G., Punjab.
Mr. Submit Jain, Advocate, for respondents No.2 and 3.

AJAY KUMAR MITTAL, J. (ORAL)

Prayer in this writ petition filed under Articles 226/227 of the Constitution of India is for issuance of a writ in the nature of *certiorari* for setting aside the order dated 21.08.2012 (Annexure P-6) passed by respondent No.3 – Estate Officer, Greater Mohali Area Development Authority, order dated 25.10.2012 (Annexure P-8) passed by respondent No.2 – Additional Chief Administrator, GMADA and order dated 04.05.2015 (Annexure P-10) passed by respondent No.1 – Special Secretary, Department of Housing and Urban Development, Government of Punjab, Chandigarh, whereby request of the petitioner for issuance of possession letter in respect of Booth No.12, Sector 71, Mohali, has been declined.

2. On 28.07.2016, learned counsel for respondents No.2 and 3 submitted that the current allotment price of the booth in question was ₹ 69,25,000/-. Today learned counsel for the petitioner has produced in Court

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a letter received from the office of the Deputy Commissioner, S.A.S., Nagar, under the Right to Information Act, 2005 stating that collector rate in the year 2013-14 was ₹1,25,000/- per sq. yds, ₹ 90,000/- per sq. yds. in the year 2014-15, ₹ 80,000/- per sq. yds. in the year 2015-16 and the same has now been reduced to ₹ 50,000/- per sq. yds. Copy of the letter is retained on record.

3. In such a situation, learned counsel for the petitioner submitted that this petition may be disposed of with liberty to the petitioner to file a detailed and comprehensive representation before the concerned authority for allotment of the booth at the current allotment price.

4. After hearing learned counsel for the petitioner, perusing the present petition and without expressing any opinion on the merits of the controversy, the writ petition is disposed of by observing that in case such a representation is filed by the petitioner, same shall be decided by the concerned authority expeditiously by passing a speaking order and after affording an opportunity of hearing to the petitioner, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

November 08, 2016
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No