

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

CWP No.21984 of 2012
Date of decision : 20.03.2017

Karam Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

Present: Mr. Amandeep Singh Cheema, Advocate for the petitioners.

Mr. Amit Singh Sethi, Addl. A.G. Punjab.

AMIT RAWAL, J. (Oral)

The petitioner has approached this Court seeking issuance of writ in the nature of mandamus for directing the respondents to transfer the ownership of the land measuring 22 kanals of Canal Rest House situated within the revenue estate of Village Sada Singh Wala, Tehsil and District Mansa, Punjab in their favour on the premise that vide Annexure P-2, the bid of the petitioners, being highest bidder, was accepted i.e. of ₹8,97,000/- and interest of ₹3,36,117/- but yet authorities have not executed any sale deed. The relevant portion of letter (Annexure P-2) reads thus:-

“The whole amount of Rs.897000/- and amount of interest of Rs.336117/- has been received from bidder. Copies of receipts and copies of challans vide which amount was deposited in the Treasury are attached with. This land has been mentioned at serial no.32 of the memorandum approved by the Cabinet. (Copy is attached with).

Taking into consideration above it is prayed that

approval be given to transfer 22 kanal (2.75 acre) land of Canal Rest House Sada Singh Wala in favour of successful bidders Sh. Gulab Singh son of Jaila Singh, Sh. Karam Singh son of Sh. Hukma Singh, Sh. Shyam Singh son of Sh. Kartar Singh and Sh. Surti Ram son of Sh. Chet Ram resident of Canal Rest House Sada Singh Wala.”

The factum of the receipt of the entire amount including the interest of 15% p.a., as auction purchaser has given a chance to deposit the balance amount either within 60 days or within a period of one year in four installments along with interest @ 15% p.a., is accepted.

Stand of the State had been that the petitioners are defaulter and failed to pay/deposit as per the terms and conditions.

In my view, the prayer sought in the writ petition is most innocuous. In the case of similar situated persons, it has been seen that where even the entire payment has been deposited, the sale deed has not been executed.

State is directed to pass speaking order on request of the petitioners by treating the writ petition as representation and representation dated 04.01.2012 (Annexure P-5) and decide the same within a period of three months from the date of receipt of certified copy of the order.

Writ petition stands disposed of, in aforementioned terms.

20.03.2017

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**(AMIT RAWAL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No