

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

CWP No.2260 of 2014
Date of decision : 10.03.2017

Krishna Kumari

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

Present: Mr. R.S. Hooda, Advocate for the petitioner.

Mr. Sandeep Singh Mann, Sr. DAG, Haryana.

AMIT RAWAL, J. (Oral)

The petitioner has approached this Court seeking following
reliefs:-

“Petition under Articles 226 & 227 of the Constitution of India praying for the issuance of a writ in the nature of certiorari calling for the records concerning the order dated 14.07.1994 passed by respondent No.2 (Annexure P-2), whereby the land in question was resumed; order dated 18.02.2005 (Annexure P-3), whereby respondent No.2 rejected the representation of the petitioner and order dated 06.09.2010 (Annexure P-8), whereby legitimate request of the petitioner for permission to deposit the remaining price of the land in question was dismissed on mere conjecture and surmises and after perusal of the record aforesaid impugned order may kindly be quashed as same smacks with unjust, arbitrariness, absolutely unlawful

and flagrantly violating principle of natural justice and not in spirit of the Govt. instruction; and

It is further prayed that this Hon'ble Court may kindly issue writ of mandamus directing respondents to receive the amount of remaining price of the land in question and issue deed of conveyance in favour of petitioner.”

Mr. R.S. Hooda, learned counsel appearing on behalf of petitioner submits that order under challenge is appealable as the order has been passed by the Tehsildar Sales under Section 7 of the Haryana Evacuee Properties Management and Disposal Act and petitioner has been allotted the land by the Rehabilitation Department.

Mr. Hooda, Advocate submits that his client would avail the remedy of appeal provided the period spent herein be condoned to evade the objection of limitation.

Request of Mr. Hooda, Advocate is fair and honest.

In view of the aforementioned statement, present writ petition is ordered to be dismissed as withdrawn with a liberty to avail the aforementioned remedy.

In case, he availed the remedy of appeal within a period of 30 days from the date of receipt of certified copy of the order, period spent herein shall deemed to be condoned.

10.03.2017
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(AMIT RAWAL)
JUDGE

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No