

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

CWP No.9880 of 2017

Date of decision:09.05.2017

Harbhajan Singh

....Petitioner

v.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Ms. Gursharan K. Mann, Advocate
for the petitioner.

AMIT RAWAL, J. (Oral)

The grievance of the petitioner is that the petitioner was allotted plot No.58, Shaheed Bhagat Singh Extension Market, Amritsar vide allotment letter dated 26.12.2003 (Annexure P-1) for the price mentioned therein, fixing the terms and conditions, however, vide (Annexure P-2) dated 05.05.2015, conveyance deed was executed in respect of the plot but there is no khasra number as has been done in respect of other allottees, which fact is evident from Annexures P-7 and P-8.

In this regard, she has drawn attention of this Court to the letter dated 11.09.2015 (Annexure P-4) written by Estate Officer, Nagar Nigam, Amritsar to the SDM, Amritsar wherein it has been stated that the petitioner-Harbhajan Singh had been issued a certificate dated 15.05.2015 regarding khasra No.1473 and despite that conveyance deed do not reflect the aforementioned khasra number. The information obtained under the Right to Information Act, 2005 vide Annexure P-6 dated 24.11.2015 also reveals that regarding plot No.58 certificate has been issued in respect of khasra No.1473 and, therefore, khasra number has been written in the

mutation.

In view of the aforementioned fact, I am of the view that the grievance of the petitioner apparently appears to be justified.

Notice of motion.

Mr. Yatinder Sharma, Addl. AG, Punjab accepts notice for respondents.

I have gone through the paper book. The allotment letter (Annexure P-1) contains the details of plot No.58, Shaheed Bhagat Singh Extension Market, Amritsar and the terms and conditions of allotment. Conveyance deed in pursuance thereof has been executed but the same does not reflect the khasra number, however, contents of letter (Annexure P-4), which reads as under, leaves no manner of doubt that regarding plot No.58, petitioner had been issued certificate and on the basis of this certificate khasra No.1473 is to be added by the revenue department in the conveyance deed.

“From

*Estate Officer,
Municipal Corporation,
Amritsar.*

To

*SDM Sahib Ji,
Amritsar-I*

No.EO/396 dated 11/9/15

Sub: Application for entering khasra number in conveyance deed dated 05.05.15 issued by Nagar Nigam and for entering mutation.

Regarding the above stated subject it is informed that Harbhajan Singh son of Shri Harnam Singh resident of Sultanwind Amritsar, conveyance deed was executed on 05.05.15 plot no.58 at Shaheed Bhagat Singh Extension Market in which khasra number is not mentioned, and it is so for entering khasra number.

That in this regard, it is informed that plot No.58 at Shaheed

Bhagat Singh Extension Market was allotted on 26.12.2003 and conveyance deed was executed in the name of allottee Shri Harbhajan Singh son of Shri Harnam Singh on 5.5.2015, this conveyance deed was to be executed in a limited time as per allotment rates, here it is also necessary mentioned that Harbhajan Singh allotted 15.05.15 the certificate regarding khasra number be issued and as per the letter No.EO/179 dated 26.06.15 his plot falls under khasra No.1473 and it is attested and patwari has issued a certificate and on the basis of this certificate and khasra number is to be added by the revenue department (attested certificate of khasra no, and conveyance deed is annexed), so , it is requested that in the conveyance deed khasra number be entered and for section of mutation the concerned officer be written for section of khasra number.

-sd-
Estate Officer
Nagar Nigam
Amritsar.

It is in this aspect of the matter, the authorities were required, if found so, to incorporate the khasra number in the conveyance deed. Resultantly, the writ petition is disposed of with a direction to respondent No.3 and 4 to look into the matter, in view of the information received under the Right to Information Act vide Annexures P-5 and P-6 and as well as the contents of letter extracted above and do the needful by incorporating the khasra number in the conveyance deed, in accordance with law.

Let this exercise be carried out within a period of two months from the date of receipt of certified copy of this order.

(AMIT RAWAL)
JUDGE

May 09, 2017
Pankaj*

Whether reasoned/speaking Yes

Whether reportable No