

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.995 of 2017.

Date of Decision: January 20, 2017

Nirankar Singh

.....Petitioner

versus

Greater Mohali Area Development Authority and anotherRespondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Arun Singla, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The petitioner purchased four shop-cum-flat sites bearing Nos.71 to 74, Phase-X, Sector 64, SAS Nagar Mohali in an open auction held on 20.09.2005. All the four SCF sites were purchased for a total sale consideration of Rs.8,30,00,000/-.

The petitioner, after construction of the sites, applied for issuance of 'occupation certificate' but it was denied as some unauthorized constructions are found to have been made which the petitioner was required to get regularized after paying compounding fee. The petitioner deposited the compounding fee of Rs.22,48,854/- but still the completion certificate has been denied none on the ground that he has not paid the arrears of allotment price to the tune of Rs.6,49,53,891/- which includes the interest and penalty. The Estate Officer, GMADA conveyed this information vide order dated 15.07.2016.

The petitioner thereafter obtained a copy of the statement of accounts to know as to how the arrears of pending dues have been calculated and has questioned the levy of penalty and compound interest

etc. by way of a legal notice dated 14.09.2016 (P-10).

Since the petitioner has not received any response to the legal notice, one of the prayer made in this writ petition is to direct the authorities to examine and decide his claim as contained in the legal notice by way of a reasoned order.

Having heard learned counsel for the petitioner and considering the nature of relief sought in this writ petition, we dispose of the same with a direction to the Chief Administrator and Estate Officer, GMADA to consider the claim put-forth by the petitioner by way of legal notice and re-determine the amount which he is liable to pay towards arrears of allotment price of four SCFs. Let a speaking order to this effect be passed preferably after hearing the petitioner within three months from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

January 20, 2017
mohinder

[SUDIP AHLUWALIA]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No