

Sr. No.216

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

LPA-1827-2015(O&M)

Date of Decision: September 06, 2017

Saraswati Kunj Co-operative House Building Society Ltd.

.....Appellant

VS.

Mohan Lal Arora

....Respondent

**CORAM HON'BLE MR. JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE RAJ SHEKHAR ATTRI**

Present:- Mr.D.D.Gupta, Advocate for the appellant.
Mr. Pradhuman Yadav, Advocate for the respondent.

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MAHESH GROVER, J (ORAL)

This appeal is directed against the judgment dated 24.09.2015 passed by learned Single Judge, wherein the following direction was issued:-

“ *Keeping in view the facts and circumstances of the case and the agony the petitioner has suffered, the society is directed to allot an alternative plot of the same size i.e 502 sq. yards, in the society, on the price which has already been paid by the petitioner and conveyance deed be executed in his favour. The entire exercise be completed within a period of three months from the date of passing of the order.*”

Prior to this, the learned Single Judge noticed that the learned

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counsel representing the appellant admitted to the genuineness of the respondent as member of the society but it is only on account of the fault of the society itself that the plot No. 131 was allocated to some Mr. B.L.Ahuja. This would be an issue to be sorted out by society and, therefore, in the absence of any error in the judgment of the learned Single Judge, we do not deem it appropriate to interfere in the order and the present petition is, therefore, dismissed. However, the delay of 12 days in refiling and 4 days in filing of appeal is condoned.

(MAHESH GROVER)
JUDGE

06.09.2017
mamta

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No