

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

COCP 358/2017

Date of decision:06.03.2018.

Vijay Kumar and another

.....Petitioners

v.

Shri Vikas Gupta,IAS

.....Respondents

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Mr.Surinder Sharma,Advocate for the petitiones
Mr.Deepak Balyan,Advocate for the respondent

Jaswant Singh,J,(Oral).

One Ajit Singh was original allottee of Booth No.14, Sector 12 (III) Sonapat vide allotment letter dated 21.1.2002. The possession of said booth could not be handed over to original allottee due to the site in question being under litigation. The original allottee sold his rights to one Ms.Neha Goyal who was registered as subsequent allottee on 18.3.2003. Two petitioners in equal share, on 16.1.2007, were acknowledged as next allottees having purchased the rights in the site in question. Since the possession could not be handed over inspite of paying all dues, they filed CWP 74/2016 which was disposed of vide order dated 19.12.2015 with the directions to HUDA authorities to consider allotting an alternative plot in terms of the policy in case the possession could not be delivered of the original plot.

Since the needful was not done within the stipulated time hence the present contempt.

Upon notice, reply has been filed by the Estate Officer, HUDA Sonepat wherein it is stated that the petitioners have been offered physical possession of the original allotment i.e. Booth No.14, Sector 12 (III)Sonepat and the delay in handing over the possession has been explained.

At the time of arguments counsel for the respondent states that the petitioners are avoiding taking of possession whereas the counsel for petitioners submits that the original land owners of the land are still litigating the acquisition.

Be that as it may, the order passed by this Court stands complied with. It is for the petitioners to adopt their own course with regard to taking possession or not. No further action is warranted in the present contempt petition.

Dismissed.

06.03.2018
joshi

(Jaswant Singh)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No