

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

[1] Civil Writ Petition No.15381 of 2015
Date of Decision: July 20, 2018
Rohtash Kumar GuptaPetitioner
versus
Punjab Mandi Board and othersRespondents

[2] Civil Writ Petition No.22941 of 2015
Date of Decision: July 20, 2018
Arhtia Association and othersPetitioners
versus
Punjab Mandi Board and othersRespondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE SUDIP AHLUWALIA.**

Present: Ms.Meena Bansal, Advocate, for
Mr.Ramesh Sharma, Advocate, for the petitioner
(in CWP No.15381 of 2015).
Mr.Sandeep Punchhi, Advocate, for the petitioners
(in CWP No.22941 of 2015).
Mr.Sandeep Vermani, Additional AG, Punjab.
Mr.Amrinderrjeet Singh Sandhu, Advocate,
for respondent Nos.1,2,4 & 5 in CWP No.15381 of 2015 and
for respondent Nos.1, 2 and 4 in CWP No.22941 of 2015.

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Surya Kant, J. (Oral)

This order shall dispose of CWP Nos.15381 and 22941 of 2015
as common questions of law and facts are involved in both these cases.

For brevity, the facts are being extracted from CWP No.15381
of 2015.

[2] The petitioner is an allottee of Kinnu Aarrat Shop No.39 in the
New Mandi at Abohar. The plot was allotted to him in pursuance to an open
auction, vide allotment letter dated 01.04.2011 (P-1). It appears that the
petitioner defaulted in payment of installments and could not construct the
plot for want of basic amenities. The authorities imposed a penalty for non-
construction which prompted the petitioner to file objections seeking to

date of hearing, the following order was passed:-

“.... Status report-cum-affidavit of S.D.O (Civil), Punjab Mandi Board, Sub Division Abohar, District Fazilka dated 02.07.2018 has been filed in Court which is taken on record. As per the averments made therein, which are supported with photographs, the development works are said to have been completed at the site by Punjab Mandi Board.

Learned counsel for respondent No.3 further states that the authorities are ready and willing to demarcate the plots and hand-over physical possession thereof to the allottees like the petitioner(s).....”

[3] Learned counsel for the petitioner(s) fairly states that the stand taken by the respondents on the previous date is factually correct and as such the principal grievance of the petitioner has been redressed. As regard to the penalty imposed on the petitioner for non-deposit of due installments or non-construction of the site, we grant him liberty to submit a representation to the respondent-Authority who in turn is directed to consider the same sympathetically and decide the same by passing a speaking order within a period of three months from the date of receiving a certified copy of this order. If any development work is still incomplete, the same may also be completed within the above-mentioned period.

The writ petition stand disposed of accordingly.

[SURYA KANT]
JUDGE

July 20, 2018
mohinder

(SUDIP AHLUWALIA)
JUDGE

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