

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.2054 of 2014.

Date of Decision: October 03, 2018

Jinander Singh (deceased) through LR.

.....Petitioner

versus

Haryana Urban Development Authority and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.S.K.Kaushik, Advocate, for the petitioner.

Mr.Abhay Gupta, Advocate, for

Mr.Amar Vivek, Advocate, for HUDA.

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Surya Kant, J. (Oral)

The petitioner is re-allottee of Plot No.271, Sector-52, Urban Estate, Gurugram. The said plot was earlier allotted to one Sanjay Gupta son of Sh.R.K.Gupta on 29.06.2006. It further appears that the petitioner has been given an alternative plot in lieu of the plot which was allotted to the original allottee. The petitioner has been thereafter asked to pay the increased allotment price due to enhancement of compensation of the land. It appears that such demand raised by HUDA authorities cannot be disputed save if the petitioner has any genuine grievance against determination of the enhanced amount for which he may make a representation which shall be considered and decided by HUDA authorities in accordance with law. The petitioner has however, another genuine grievance. He wants to mortgage the plot with the bank for payment of the additional allotment price. There appears to be no valid reason for HUDA authorities in not giving 'no objection' for mortgaging the plot, moreso when the bank would make payment of enhanced price directly to HUDA.

Consequently, the writ petition is disposed of with a direction to the Estate Officer, HUDA, Gurugam to take up the above-mentioned grievances of the petitioner and decide within a period of two months from the date of receiving a certified copy of this order.

[SURYA KANT]
JUDGE

October 03, 2018
mohinder

(SUDIP AHLUWALIA)
JUDGE

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