

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

CWP-20194-2015

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Date of Decision: 19.04.2018

NIDHI BHALOTHIA AND ORS.

....Petitioner(s).

Versus

STATE OF PUNJAB AND ORS.

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present: Mr. Sanjeev Sharma, Advocate
for the petitioner.

Mr. Jagmohan S. Ghuman, DAG, Punjab.

Mr. Balwinder Singh, Advocate
for respondents No.2 and 3.

ANUPINDER SINGH GREWAL, J.

The petitioners are seeking a direction to the respondents to handover possession of the plots after providing basic amenities.

2. The petitioners are stated to be the successful bidders in the draw of lots conducted for allotment of residential plots at PUDA Enclave, Abohar in the year 2011. Learned counsel for the petitioners has contended that despite the petitioners having made the payments, the basic amenities have not been provided.

3. In the reply filed by respondents No.3 and 4, it is stated that the basic amenities had been made available and possession of the plots had been offered vide publication issued in newspaper 'The Tribune' on 14.04.2016. The allottees had been requested to take over the possession of respective plots by visiting office of

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respondent No.3. It was also clarified that the possession would be deemed to be handed over to the allottees from the date of publication of the advertisement, who failed to comply with these instructions.

4. In replication to the aforementioned reply, the petitioners have stated that the basic amenities are not available. Reliance has been placed on the respondent's letter (Annexure P-16). However, perusal of the letter (Annexure P-16), which has been issued by the Chief Administrator, Bathinda Development Authority, Bathinda to the Housing and Urban Development Department, Chandigarh indicates that the PUDA had completed 100% work with regard to electrification. The 'No Objection Certificate' was obtained from PSPCL and as per conditions of NOC, amount of Rs.44,67,746/- had been deposited for the same. It is also mentioned therein that although PUDA has not made any provision for water supply on its own but it is being supplied from water supply of Nagar Council, Abohar.

5. The petitioners have filed an affidavit dated 10.10.2017, wherein reference has been made to the communication dated 25.09.2017 (Annexure P-19), wherein the Additional Chief Administrator, PUDA visited the site on 13.09.2017 and in the presence of officials of Public Health, Civil, Building as well as Water Supply and Sewerage Board, Abohar, the grievances of the allottees were sought to be redressed including proper arrangement of drinking water, potable R.O.

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system, estimate for bore wells. With regard to other proposals for the development works estimates have also been set out.

6. Learned counsel for respondents No.2 and 3 has stated that most of the development works have been completed and remaining development works shall be put in place as expeditiously as possible.

7. Consequently, we are of the considered view that grievances of the petitioners have been redressed to a considerable extent. No further directions are required in this petition, which stands disposed of. However, the petitioners shall be at liberty to take up the matter with regard to any subsisting grievance with the respondents and in case of their inaction, it shall be open to them to approach this Court again.

(AJAY KUMAR MITTAL)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

19.04.2018

SwarnjitS

Whether speaking/reasoned :
Whether reportable :

YES/NO
YES/NO