

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-20096-2017

Date of Decision: 21.2.2018

Attar Singh Kaushik, Advocate

....Petitioner.

Versus

Chief Secretary, Haryana State, Chandigarh and others

...Respondents.

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

PRESENT: Mr. Attar Singh Kaushik, Advocate, petitioner in person.

Mr. D.R. Singla, Deputy Advocate General, Haryana.

Mr. Lokesh Sinhal, Advocate for the HUDA.

AJAY KUMAR MITTAL, J.

1. In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioner has prayed for issuance of a writ in the nature of certiorari for quashing the demand notice dated 7.7.2017 (Annexure P-7) issued by respondent No.4.

2. Respondent No.4 vide allotment letter dated 24.10.2008 (Annexure P-1) allotted plot No.22, Sector 7, Panipat measuring 10 marlas to Ms. Anjali. Vide order dated 27.5.2009 (Annexure P-2), this Court allowed the appeals filed by the claimants and enhanced the compensation. Respondent No.4 vide letter dated 5.5.2010 (Annexure P-3) granted permission to said Ms. Anjali for transfer of the plot in question and the said plot was allotted in favour of the petitioner vide re-allotment letter dated 2.6.2010 (Annexure P-4). The conveyance deed dated 14.12.2016 (Annexure P-5) was executed in favour of the petitioner on the payment of all outstanding dues along with interest. Thereafter, the occupation certificate dated 2.3.2017 (Annexure P-6) was issued to the petitioner.

Respondent No.4 vide notice dated 7.7.2017 (Annexure P-7) raised a demand of ₹ 3,33,889/- from the petitioner on account of enhancement of compensation. The petitioner vide applications dated 20.7.2017 (Annexures P-8 and P-9, respectively) sought some information under the Right to Information Act, 2005 from respondents No.3 and 4. A letter dated 31.7.2017 (Annexure P-10) was sent to the SPIO, Panipat and Rohtak to supply the said information. However, no information was received by the petitioner. Accordingly, the petitioner served a legal notice dated 10.8.2017 (Annexure P-11) upon respondents No.1 to 4 to withdraw the demand notice dated 7.7.2017 (Annexure P-7), but no response has been received till date. Hence, the present writ petition.

3. The petitioner has submitted that for the relief claimed in the writ petition, the petitioner has sent a legal notice dated 10.8.2017 (Annexure P-11) to respondents No.1 to 4, but no action has so far been taken thereon.

4. After hearing the petitioner and learned counsel for the respondents, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petition by directing respondent No.4 to take a decision on the legal notice dated 10.8.2017 (Annexure P-11), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner within a period of two months from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

February 21, 2018
gbs

(ANUPINDER SINGH GREWAL)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No