

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.20830 of 2018.

Date of Decision: August 21, 2018

Bihari Lal Miglani

.....Petitioner

versus

State of Punjab and others

.....Respondents

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

**HON'BLE MR.JUSTICE SUDIP AHLUWALIA.**

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Present: Mr.Vikram Rathore, Advocate, for the petitioner.

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**Surya Kant, J.** (Oral)

The father of the petitioner owned plot No.350-G at BRS Nagar, Raj Guru Nagar, Ludhiana which was allotted by Adarsh Colony Cooperative House Building Society Limited to whom land was allotted by Improvement Trust, Ludhiana. The plot was allotted on 09.05.1993 and house has also been constructed at the site. The father of the petitioner expired on 26.11.2007. He had statedly executed an unregistered Will during his life time on 05.09.2007 bequeathing the subject house in petitioner's favour.

The case of the petitioner is that all the legal representatives of his deceased-father, namely, his two brothers and his mother have given no objection by way of their respective affidavits for the transfer of subject house in favour of the petitioner. However, the respondent-authorities are sitting tight over the matter despite repeated representations made by him.

Having heard learned counsel for the petitioner and considering the nature of relief sought by him and also keeping in view the petitioner's stand that other legal heirs of his deceased-father have given their consent in his favour, it becomes imperative upon respondent Nos.2 & 3 to consider

and decide the petitioner's request for transfer of the house in his favour. Let an appropriate decision be taken within a period of two months from the date of receiving a certified copy of this order.

The writ petition stands disposed of accordingly.

[SURYA KANT]  
JUDGE

August 21, 2018  
*mohinder*

(SUDIP AHLUWALIA)  
JUDGE

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