

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

110

Civil Writ Petition No.6819 of 2018
Date of decision: March 19, 2018

V.P. Prashar

....Petitioner

versus

Haryana Urban Development Authority, Panchkula and another

....Respondents

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

Present: Mr. Rajwant Singh Chahal, Advocate for the petitioner.

AJAY KUMAR MITTAL, J. (Oral)

1. The petitioner has approached this Court under Articles 226/227 of the Constitution of India, seeking quashing of order dated 08.01.2018 (**Annexure P-11**) whereby the petitioner has been called upon to deposit the compounding fee of ₹ 17,460/- in respect of Plot No.319, Sector 15, Panchkula for which an application for issuance of occupation certificate of the first floor of the said house had been applied.

2. Learned counsel for the petitioner submitted that on an application made by the petitioner before the appropriate authority i.e. respondent No.2 for grant of occupation certificate of first floor of House No. 319, Sector 15, Panchkula, respondent No.2 had issued a demand notice requiring the petitioner to deposit an amount of ₹ 17,460/- on account of compounding fee without giving any details of violations.

Learned counsel prayed that the petitioner would file a detailed and comprehensive representation regarding demand of ₹17,460/- on account of compounding fee before respondent No.2, as according to him, there is no violation relating to the first floor of the house in question in respect of which the occupation certificate is requested from the authority. However, a prayer was made that time bound direction be issued to the said authority to decide the same after affording an opportunity of hearing to the petitioner and by passing a speaking order in accordance with law.

3. After hearing learned counsel for the petitioner, perusing the present writ petition and without commenting anything on the merits of the case, the present writ petition is disposed of by granting liberty to the petitioner to file a detailed and comprehensive representation against demand letter dated 08.01.2018 (Annexure P-11) before respondent No.2 within fifteen days from the date of receipt of certified copy of this order. In case, such a representation is filed, the same shall be decided by the said authority by passing a speaking order and after affording an opportunity of hearing to the petitioner within next fifteen days in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

March 19, 2018
sonia gugnani

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No