

CWP no. 2269 of 2017 (O&M) 1

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

CWP no. 2269 of 2017 (O&M)

Date of Decision : 07.03.2019

Balwinder Singh

....Petitioner(s)

Versus

Punjab Small Industries & Export Corporation

...Respondent(s)

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE LALIT BATRA**

Present : Mr. Harish Goyal, Advocate for the petitioner

Mr. R.C.Sharma, Advocate for respondent

MAHESH GROVER, J.(ORAL)

Notice of motion was issued only on the statement made by the learned counsel for the petitioner that petitioner is ready and willing to pay the amount as demanded by the respondent-Corporation alongwith interest/compound interest and the penalty that may be imposed by this Court.

The petitioner has not paid a single penny thereafter. The facts reveal that the plot of the petitioner being an industrial plot was put to different use by constructing house and letting it out on rent resulting in cancellation of the allotment. The petitioner made representation for its restoration to which the respondents agreed subject to the condition that the amount as determined by them should be satisfied. It is at this stage that the petitioner approached this Court and made a statement, the content of which

we have noticed above. On 27.3.2017 persuaded by the statement made by the counsel notice of motion was issued. Almost two years have elapsed since then and the petitioner has not paid a single penny. Obviously the petitioner has misled this Court into intervention on the strength of a statement which he did not intend to honour. Even on merits we find that the respondents are justified in cancelling the allotment when the plot was not put to the intended use. No violation of any law or procedure has been shown to us. Hence, instant petition is hereby dismissed.

(Mahesh Grover)
Judge

07.03.2019
rekha

(Lalit Batra)
Judge

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No