

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

CWP No. 24872 of 2019

Date of Decision: 25.09.2019

RAJNI DHINGRA

..... *Petitioner*

V/s.

DEWAN HOUSING FINANCE CORPORATION LTD. AND ANOTHER

.....*Respondents*

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN.
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI.

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

Mr. Harsh Chopra, Advocate,
for the respondents.

RAKESH KUMAR JAIN, J. (Oral)

The petitioner has prayed for a writ in the nature of *mandamus* to direct the respondents to decide her representation/proposal dated 15.12.2018 (Annexure P-3) which has been made pursuant to the order dated 25.10.2018 passed by this Court in CWP No. 8304 of 2018.

After notice, Mr. Harsh Chopra, Advocate has put in appearance on behalf of the respondents and submitted that while disposing of CWP No. 8304 of 2018, liberty was granted to the petitioner by this Court to approach the respondents within one month with the proposal for settling the outstanding dues alongwith a sum of ₹1,00,000/-. The interim protection, which was granted by this Court vide order dated 04.04.2018, was also ordered to be continued till the decision is taken by respondents on the said representation/proposal.

Admittedly, the petitioner made the said representation after the expiry of cut-off date and therefore, the said representation was not considered by the respondents.

Counsel for the petitioner has submitted that earlier the husband of the petitioner was repaying the installments of the loan regularly but now his whereabouts are not known and she alongwith her son is living in the house/property in question which is the only shelter provided to them by her husband. Thus, the counsel for the petitioner made an earnest request to issue an appropriate direction to the respondents to consider the representation/proposal dated 15.12.2018 (Annexure P-3) by extending time provided in the order dated 25.10.2018, passed by this Court in the earlier petition filed by the petitioner or otherwise they may be directed to decide the same sympathetically.

Counsel for the respondents has also submitted that the petitioner may still approach the respondents with the proposal alongwith a demand draft of ₹1,00,000/- which shall be considered objectively. However, he has submitted that amount of ₹1,00,000/-, as ordered by this Court, shall be utilized by the respondents towards pending dues without any prejudice.

In view of the peculiar facts and circumstances of the case, present petition is hereby disposed with a direction to the respondents to decide the representation/proposal dated 15.12.2018 (Annexure P-3) within a period of 15 days from the date of receipt of certified copy of this order and till then protection granted to the petitioner by the order of this Court passed in CWP No. 8304 of 2018 shall continue.

[RAKESH KUMAR JAIN]
JUDGE

September 25, 2019

Ess Kay

[ARUN KUMAR TYAGI]
JUDGE

<i>Whether speaking / reasoned</i>	:	<i>Yes</i>	<i>/</i>	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	<i>/</i>	<i>No</i>