

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

**CWP No.12771 of 2020 (O&M)
Date of Decision: August 26, 2020**

Harjinder Kaur

...Petitioner

VERSUS

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE S.N.SATYANARAYANA
HON'BLE MRS. JUSTICE ARCHANA PURI**

Present: Mr.Gagandeep Singh Sirphikhi, Advocate,
for the petitioner.

S.N.SATYANARAYANA, J.

Notice to respondent No.1 only. Mr.Abhaypal Singh Gill,
AAG, Punjab, takes notice on behalf of respondent No.1.

We find that there is no need to issue notice to respondents
No.2 and 3 unless this matter is considered for admission.

Heard learned counsel for the petitioner and perused the record.

The petitioner herein is an allottee of plot No.186 situated at
Dharampura Colony, Teshil Batala, District Gurdaspur. Admittedly, the
allotment order No.619/BIT/02 dated 02.04.2002 was communicated to her
and thereafter, she had paid an installment of Rs.4,50,000/- as against total
value of Rs.16,98,300/-, which she was required to pay in installments
commencing from 01.08.2000, followed by second installment on
01.02.2001, third installment of 01.08.2001, fourth installment on
01.02.2002 and fifth installment on 01.08.2002. In fact, she was required to
pay the entire sale consideration by 01.08.2002.

The material available on record would clearly indicate that

after paying the first initial amount of Rs.4,05,575/- to cover 25% of sale

amount, the petitioner herein has thereafter not paid any amount and she has gone abroad and happily stayed upto 2014 and thereafter, from 2014 she has been corresponding with the respondents seeking revival of the cancellation, which has already taken effect prior to 2014 and in all the letters she has tried to project that non-payment of installment is due to death of her husband subsequent to allotment and subsequent to payment of first installment. However, the death certificate of her husband, which is produced by her vide Annexure P-2 would clearly indicate that even before the allotment order was communicated to the petitioner, her husband had already died and it is after his death, the petitioner had received the allotment letter and she had paid the initial amount.

Be that as it may, when the entire material available on record is seen, it is clear that no grounds are made by the petitioner to consider her prayer in this petition, which is raised belatedly after 20 years from the date of allotment of the plot in her favour, for which payment should have been made by her as early as 2002 in clearing the entire amount which she has not done except for paying the initial amount.

In the aforesaid fact situation, we find that there are no merits in the writ petition and accordingly, the same is dismissed at this stage of notice itself.

(S.N.SATYANARAYANA)
JUDGE

(ARCHANA PURI)
JUDGE

August 26, 2020
Vgulati

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No