IN THE HIGH COURT OF PUNJAB & HARYANA

AT CHANDIGARH

CWP-15884-2020
Date of Decision:30.09.2020

Sunmeet Singh Sethi ...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH
HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. Gurcharan Dass, Advocate for the petitioner.

Ms.Monika Chhiber Sharma, DAG, Punjab.

JASWANT SINGH, J. (ORAL)

[The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual court.]

The petitioner was allotted an industrial plot No.E-221 (C) situated in Phase VIII-B, Industrial Focal Point, SAS Nagar (Mohali) measuring 805.94 square yards on 07.03.2019 by the Punjab Small Industries & Export Corporation Ltd. (for short `the PSIEC)-respondent No.2 against his original application for allotment of an industrial plot measuring 1000 square yards. The possession of the said plot was undertaken by the petitioner vide possession certificate dated 17.07.2019 (P-15).

The grievance of the petitioner is that he can not undertake any construction work due to the underground storm line passing through the plot which had been undertaken to be removed by respondent No.2-PSIDC at the time of granting possession (as is apparent from Annexure P-15). Since no action is being taken by the authorities in spite of repeated representations, the instant writ petition has been filed, inter alia, seeking the refund of a sum of Rs.1,06,97,232/- (One crore, six lacs ninety seven

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thousand two hundred and thirty two only) paid towards the total sale price along with interest @ 18% per annum; as also an amount of Rs.20 lacs as compensation. An ancillary prayer has also been made for issuing a direction to the authorities to remove the underground storm line at the earliest.

At the time of hearing, when this Court is not inclined to accept the prayer of refund and compensation being subject matters of civil suit, learned counsel for the petitioner has restricted his prayer for directing the authorities to remove the underground storm line within a time line.

In view of the restricted prayer of the petitioner, learned counsel for the State was directed to seek instructions from the authorities.

Learned counsel for the State, on instructions from Mr.Sangmesh Mishra, Law Officer, PSIDC, submits that a tender for undertaking the said work for removal of underground storm line has been floated and necessary work has been allotted on 30.06.2020. She further submits that the entire exercise would be completed within the next three months.

In view of the aforesaid stand taken by the learned counsel State, the present writ petition is disposed of, accordingly.

(JASWANT SINGH)
JUDGE

(SANT PARKASH)
JUDGE

30.09.2020
mks

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

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