

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

107

CWP-15846-2020(O&M)

Date of decision:07.10.2020

Parshant Mishra

...Petitioner

Versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Onkar Singh, Advocate for the petitioner.

ARCHANA PURI, J(ORAL)

The matter has been taken up through video conferencing in the light of the COVID-19 pandemic.

Affidavit on behalf of the petitioner has been filed through mail, which is taken on record.

The present petition has been filed thereby seeking writ especially in the nature of mandamus directing the respondent authority, to insert the name of the petitioner in property list and to make change in the name of occupancy rights/mutation in shop No. 1, property no. 1086, 1086/1, 1086/2, 1085/3, 1087 to 1092, 1093, 1094 and 1095 situated in Sadar Bazar Purana Potato Godown, Ambala Cantonment as per application/file dated 11.03.2019 (Annexure P-4), which is pending for the last more than one year.

The grievance of the petitioner is that he had contacted Mr. Rakesh Kalra son of Jagdish Kalra (who is respondent no.4), owner in possession of 1.68 acre comprised in property no. 1086, 1086/1, 1086/2, 1085/3, 1087 to 1092, 1093, 1094 and 1095 situated in Sadar Bazar Purana Potato Godown, Ambala Cantonment for buying his property. After making

CWP-15846-2020(O&M)

-2-

the requisite queries qua the property in question, some portion of the property was purchased. Thereafter, the joint application was filed to Commissioner Nagar Nigam, Ambala Cantt for grant of mutation of property, so purchased. It was jointly filed by the petitioner as well as Rakesh Kalra, the seller. However, no action has been taken on the application, which is bearing No. 6029/11 B 2019. Qua the same, even the representation has been filed by the petitioner to Deputy Commissioner, Ambala for taking action on Annexure P-4, which is detailed, as aforesaid. However, till date, no action as such has been taken on the same.

Notice of motion.

Mr. Pawan Longia, Dy. Advocate General, Haryana, has made appearance on behalf of the State and he shall ensure about action being taken on Annexures P-4 and P-5 within the time frame as so fixed by the Court and the said offer is also acceptable to learned counsel for the petitioner.

In view of the assurance so given by learned State Counsel, the present writ petition is hereby disposed of with a direction to respondent no.3 Deputy Commissioner, Ambala District Ambala to redress the grievance of the petitioner, as stated in Annexure P-4 and Annexure P-5, which is dated 19.12.2019 by passing a speaking order, in accordance with law after giving an opportunity of personal hearing to the petitioner as well as to the seller, who has been impleaded as respondent no.4 namely Rakesh Kalra as the application Annexure P-4 has been jointly filed by the petitioner and respondent no.4. The said application be disposed of by passing a detailed order, within a period of four weeks from the date of receipt of certified copy of this order.

CWP-15846-2020(O&M)

-3-

Accordingly, the writ petition stands disposed of.

07.10.2020	(ARCHANA PURI)
dinesh	JUDGE

Whether speaking	Yes
Whether reportable?	No