

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.19404 of 2020

Date of Decision:-17.11.2020

Satbir Singh.

.....Petitioner.

Versus

The Chief Administrator HSVP & Anr.

.....Respondents.

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

Present:- Mr. Satyawar Singh Nain, Advocate for the Petitioner.

Mr. Arvind Seth, Advocate for the Respondents-HSVP.

JASWANT SINGH, J.

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

The petitioner is an allottee of a residential plot no. 858GP measuring 6 Marlas in Sector 11 at Urban Estate Bahadurgarh on free hold basis.

Grievance raised by him is that despite allotment of plot way back on 02.11.2011 vide memo no. 1151 and payment of extension fee on year to year basis, the petitioner has not been able to take actual physical possession of the plot although through letter dated 23.02.2018 (P-1) paper possession has been handed over and building plan has been sanctioned vide letter dated 01.01.2019 (P-2). It is stated that a representation regarding demarcation of the plot and handing over physical possession is pending consideration with the Chief Administrator HSVP since 10.12.2019 (P-5) but till date nothing has been done.

On last date of hearing i.e 16.11.2020 after counsel for the petitioner at length, following order was passed by this Court:

“ Mr. Raman Sharma, Additional Advocate General, Haryana seeks a days adjournment for getting the necessary instructions regarding demarcation of the plot as also the refund of the extension fee due to non construction by the petitioner. ”

Today, on instructions from the respondents, Mr. Arvind Seth, Advocate for resonidents-HSVP has stated that the authorities concerned will look into the grievances of petitioner regarding handing over of actual physical possession after demarcation, as also consider the case of petitioner for refund of extension fee charged from him for non-construction by petitioner, positively within the period specified by this court.

Accordingly, we dispose off the present writ petition with a direction to respondents to consider the grievances raised by petitioner and in case there is no impediment, hand over the actual physical possession at the earliest. Further, the respondents are directed to take a decision on refund of extension fee charged by them in light of the facts of the present case, whereby they have not been able to hand over actual physical possession of the plot, by passing a speaking order within a period of 2 months from the receipt of certified copy of this order.

Needless to say, in case the authorities find merit in the assertions made by petitioner then needful relief be granted to petitioner within another period of two months from the date such decision is taken.

Disposed off with aforesaid directions.

(JASWANT SINGH)
JUDGE

(SANT PARKASH)
JUDGE

November 17, 2020
Vinay

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