

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

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CWP-22478-2020

Decided on : 23.12.2020

Neeraj Kamboj

... Petitioner

Versus

State of Haryana & others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Ms.P.K.Virk, Advocate, for the petitioner.

(The proceedings are being conducted through video conferencing,
as per instructions.)

G.S. Sandhawalia, J. (Oral)

Challenge in the present writ petition, filed under Articles 226/227 of the Constitution of India is to the order dated 03.10.2019 (Annexure P-1) passed by respondent No.4, being illegal and unconstitutional.

Counsel submits that the matter could be settled in view of the One Time Settlement Scheme, as floated by the Government of Haryana.

A perusal of the impugned order would go on to show that on non-deposit of the loan amount taken for house construction, a sum of Rs.2,06,641/- had become due along with interest. Resultantly, the property had been put to sale and the petitioner was given liberty to deposit the amount within 15 days. But on account of non-deposit, the sale of the property was confirmed by the Registrar, Cooperative Societies under Section 77(3) of the Haryana Cooperative Societies Act, 1984. The present writ petition has, now, been filed, challenging the said order after more than a period of one year.

The argument, thus, raised that the OTS scheme would, now, be available for repayment, is without any basis since the sale has already been confirmed in favour of the bank and the petitioner has chosen not to deposit the amount. In such circumstances, no case is made out for entertaining the present writ petition and accordingly, the same is dismissed in limine.

DECEMBER 23, 2020

sailesh

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No