

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

CWP No.13040 of 2021 (O&M)

Date of Decision:06.10.2021

Joginder Singh

.....Petitioner

Versus

State of Haryana and ors.

.....Respondents

**CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA
HON'BLE MR. JUSTICE VIVEK PURI**

Present:- Mr. Amit Sharma, Advocate for the petitioner.

Ms. Uru Sharma, Advocate for
Mr. Sandeep Moudgil, Advocate for respondents No.2 to 4.

TEJINDER SINGH DHINDSA J. (Oral)

CM-10929-2021

Application is allowed as prayed for.

The accompanying additional affidavit dated 10.08.2021 of
the sole petitioner/applicant is taken on record.

Application disposed of.

Main case

Instant writ petition had been filed raising a grievance as
regards levy of demand towards extension fee of an amount of Rs.32 lakhs
approximately in respect of plot No.267-P, Sector 12-A, Gurugram.

Case projected on behalf of the petitioner was to the effect
that earlier a plot had been allotted in the year 1986. Thereafter an
alternate plot was offered in the year 1998 which was duly accepted.
Precise argument raised by counsel was to the effect that offer of
possession of the alternate plot was never made to him and as such
imposition of extension fee would not be justified. It was further urged
that as per terms and conditions of the allotment, construction was to be

effected within a period of two years from the date of offer of possession.

Since an advance copy of the petition had already been served upon the respondents, a short reply by way of affidavit of the Administrator, HSVP, Gurugram on behalf of respondents No.2 to 4 has been filed and placed on record.

In para 3 of the preliminary submissions of such affidavit, it has been stated that the amount of extension fee for the plot in question has since been recalculated/revised and now the demand has been scaled down from Rs.32,01,265/- to Rs.2,88,311/- only. The break up of such reduced amount of extension fee has also been furnished in para 3.

Still further in paragraph 4 of the reply it has been stated that the possession certificate of the Plot No.267-P, Sector 12-A, Gurugram ad-measuring 179.10 Sq. meter already stand issued to the petitioner on 08.01.2018 as per approved demarcation plan. Consequently, petitioner is at liberty to get demarcation of the plot done on any working day.

In the light of such categoric stand taken on behalf of the respondent-Haryana Shehri Vikas Pradhikaran, counsel for the petitioner submits that the grievance raised in the petition has been redressed.

In view of the above, petition is disposed of as infructuous.

(TEJINDER SINGH DHINDSA)
JUDGE

(VIVEK PURI)
JUDGE

06.10.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No