

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

**CWP-22306-2021
Date of decision: 2.11.2021**

NARESH KUMAR

....Petitioner

Versus

THE CHIEF ADMINISTRATOR, HUDA AND OTHERS

.....Respondents

**CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA
HON'BLE MR. JUSTICE VINOD S. BHARDWAJ**

Present : Mr. Kushagra Beniwal, Advocate for the petitioner.

Mr. Aman Bahri, Additional Advocate General, Haryana.

TEJINDER SINGH DHINDSA. J. (ORAL)

Petitioner is essentially aggrieved of the inaction of the respondent-authorities as regards non-issuance of the 'No Dues Certificate' pertaining to plot No. 196, Mandi Township, Cheeka, District Kaithal.

Brief facts averred in the petition are that the plot in question was allotted in favour of the petitioner in the year 2011. The initial deposit of 25% was made good.

The formal allotment letter dated 23.05.2011 was issued thereafter. As per payment schedule the petitioner was to deposit the balance amount in six equal instalments.

Appended with the writ petition at Annexure P-9, is a legal

notice in which tabulation has been furnished which prima facie indicates that five instalments have been deposited by the petitioner in time even though sixth instalment was deposited with a delay of approximately six months.

Contention raised by learned counsel is that as per the record online, the 'No Dues Certificate' is being refused on the ground that the instalment pertaining to the year 2015 has not been deposited.

Counsel has again adverted to the tabulation to assert that the instalment for the year 2015 was due on 23.05.2015 whereas such amount had been deposited on 15.05.2015 i.e. within the stipulated time period.

Insofar as the six instalment and the delay in deposit thereof, counsel submits that the petitioner is ready and willing to pay any interest that may be levied by the respondent authorities for such period of delay.

We find that the grievance set out in the instant petition has already been raised by the petitioner in terms of having served legal notice dated 02.08.2021 at Annexure P-9.

We are of the view that the authorities concerned ought to examine the matter and to take a final decision there on as regards issuance of 'No Dues Certificate' of the plot in question.

In view of the above and without even ascertaining the correctness of the averments made in the instant writ petition, the writ petition is disposed of with a direction to respondents No.2 to 3 to co-ordinate amongst themselves and to take a final decision on the legal notice dated 02.08.2021 (Annexure P-9) and in terms of passing a speaking order

expeditiously and in any case within a period of three months from the date of receipt of certified copy of this order.

It would be appreciated, if the petitioner is accorded an opportunity for personal hearing prior to taking any decision in the matter.

Writ petition is disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

(VINOD S. BHARDWAJ)
JUDGE

02.11.2021
Vishal sharma

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*