

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

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**CWP No.19011 of 2021
Date of decision :16.11.2021**

Vinod Ratan

.....Petitioner

VERSUS

The State of Haryana and Another

.....Respondents

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

Present:- Mr.Ankit Choudhri, Advocate, for the petitioner.

Mr.Deepak Balyan, Advocate for HSVP.

TEJINDER SINGH DHINDSA, J. (Oral)

Petitioner has filed the instant petition seeking a writ of mandamus directing the respondent-Haryana Shahari Vikas Pradhikaran, to deliver actual physical possession of plot No.1072-P, Sector 45, Gurugram, Haryana.

On the previous date of hearing, we had requested learned State counsel to complete instructions in the matter.

During the course of resumed hearing today, Mr.Deepak Balyan, Advocate, representing respondent No.2 has informed us that the plot in question was under litigation in CWP No.25848 of 2016 titled as “Dharampal Yadav and others Vs. State of Haryana and others”. Such writ petition stands dismissed as withdrawn on 25.02.2021 and now the plot has become litigation free and possession of the same will be offered after completion of development works.

We are constrained to observe that the allotment in the present case relates back to the year 1986. For no fault of the petitioner, the

allotment of the plot has not translated into actual possession for a period lasting more than 3 decades.

Mr. Deepak Balyan, Advocate, for respondent No.2 on instructions from Mr. Satnarayan, SDE (Survey) HSVP-E-II, Gurugram, Haryana, furnishes an assurance that the development works in the area would be expedited. In this regard, we have been informed that the tender process has already been initiated and after allotment of the work order, the development works would be completed positively within a period of 3 months thereafter.

In the light of such categorical stand taken, no further directions are required to be passed and the present writ petition is disposed of.

We may observe that in case the time frame indicated hereinabove is violated, it would be open for the petitioner to claim compensation from the respondent-Authorities on account of the inordinate delay that has already occurred insofar as the delivery of physical possession of the plot.

Disposed of

(TEJINDER SINGH DHINDSA)
JUDGE

(VINOD S. BHARDWAJ)
JUDGE

16.11.2021
anil

<i>Whether speaking/reasoned :</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>