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

(Through video-conferencing)

CWP No.25347 of 2021

Date of Decision: 14.12.2021

**M/S DHARIWAL SALES AGENCY (THROUGH ITS PROP.)
.....Petitioner**

Vs

**PUNJAB SMALL INDUSTRIES AND EXPORTS
CORPORATION (PSIEC) AND ANR
.....Respondents**

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Veneet Sharma, Advocate
for the petitioner.

RAJ MOHAN SINGH, J.(Oral)

Petitioner has preferred this writ petition under Articles 226/227 of the Constitution of India for the issuance of an appropriate writ, order or direction especially in the nature of mandamus directing respondent No.1 to transfer the lease of Industrial Plot no.94, Focal Point, Amritsar in the name of the petitioner.

The aforesaid plot was allotted to respondent No.2 by respondent No.1 on 21.11.1997. Respondent No.2 has already transferred the same in favour of the petitioner for consideration on 29.07.2004. The said transfer was made by respondent No.2

after fulfilling all the necessary criteria in the form of execution of indemnity bond and affidavit before respondent No.1. The transfer in favour of the petitioner is absolute and needs to be acknowledged by respondent No.1. In a communication addressed to the petitioner, even respondent No.1 has acknowledged the factum of transfer, but needful has not been done so far despite completion of all the formalities and filing of representation by the petitioner on 26.08.2021.

Petitioner is running its business in the plot in question since long and is paying the municipal tax to the Municipal Corporation. The business of the petitioner has already been registered in the Udyam Scheme which is being run by the MSME Department of Government of India. The transfer of the plot has already been acknowledged in favour of the petitioner and the petitioner is in lawful possession of the same.

Learned counsel for the petitioner submits that the petitioner would be satisfied at this stage in case his representation is ordered to be decided within a time bound manner.

Notice of motion.

On asking of the Court, Mr. TPS Chawla, D.A.G., Punjab accepts notice on behalf of respondent No.1. Let a copy of the writ petition be supplied to him by learned counsel for the petitioner during course of the day.

In view of nature of order which this Courts proposes to pass, there is no necessity of calling any response from the State as no order prejudicial to the interests of anyone is being passed.

At this stage, without meaning anything on the merits of the case, this writ petition is disposed of with a direction to respondent No.1/competent authority to look into the grievance of the petitioner arising out of the representation (Annexure P-10) dated 26.08.2021 and decide the same by passing speaking order in accordance with law within a period of one month from the date of receipt of certified copy of this order.

December 14, 2021

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Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No