

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

**CWP-4469-2022(O&M)
Date of Decision:08.03.2022**

Geeta Gupta

..... Petitioner

versus

The State of Haryana and others

..... Respondents

**CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA
HON'BLE MR. JUSTICE LALIT BATRA**

Present: Mr.Kartik Gupta, Advocate for the petitioner.

Mr.Pravindra Singh Chauhan, Advocate
for the respondent-HSVP.

TEJINDER SINGH DHINDSA, J. (ORAL)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Petitioner seeks a mandamus for issuance of directions to the respondent-HSVP to issue a re-allotment letter in her favour in respect of plot No. 127, Sector 30, Gurugram.

An advance copy of the writ petition already stood served upon the respondents.

Mr.Pravindra Singh Chauhan, Advocate has caused appearance on behalf of the respondent-HSVP.

During the course of hearing it stands uncontroverted that the original allottee was one Sh.Sandeep Dahiya and a sale deed dated

03.07.2019 (Annexure P-14) qua the plot in question already stands registered/executed in favour of the petitioner.

Mr. Chauhan clarifies that the impediment as regards issuance of a re-allotment letter as also a transfer permission is that such permission has to be sought at the hands of the initial allottee. Counsel for the petitioner joins issue and contends that the original allottee is not cooperating and coming forward inasmuch as even the sale deed dated 03.07.2019 (Annexure P-14) had been got executed in pursuance to satisfaction of a decree passed in favour of the petitioner in a suit that she had instituted for specific performance of a contract/agreement.

Even with regard to such predicament, Mr.P.S.Chauhan, Advocate submits that vide memo dated 05.03.2019, the Haryana Shehri Vikas Pradhikaran (HSVP) has formulated a policy on the subject of transfer of plot on the basis of registered sale deed and which takes care of an eventuality where physical presence of the transferor/transferee at the time of submission of final documents for issuance of re-allotment letter is not possible. Copy of such policy issued vide memo dated 05.03.2019 has been forwarded to counsel representing the petitioner.

Mr. Chauhan submits that in case the petitioner were to apply under the policy issued vide memo dated 05.03.2019 on the subject – **policy with regard to the transfer of plot on the basis of registered sale deed-amendment thereof**, due procedure would be followed and such application for issuance of a re-allotment letter would be dealt with in accordance with law as also the terms and conditions contained in the memo dated 05.03.2019 itself.

Statement made by learned counsel representing respondent-
HSVP is accepted.

No further directions are required to be passed at this stage.

Writ petition is disposed of.

Suffice it to observe that it would now be open for the petitioner
to apply for issuance of a re-allotment letter for the plot in question as per
procedure envisaged in memo dated 05.03.2019 issued by HSVP.

(TEJINDER SINGH DHINDSA)
JUDGE

(LALIT BATRA)
JUDGE

08.03.2022
sunita

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No