

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

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CWP No.6604 of 2022

Date of Decision:- 30.03.2022

JATIN SAINI

....Petitioner

vs.

STATE OF HARYANA AND OTHERS

....Respondents

BEFORE :- HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Surinder Kumar Daaria, Advocate,
for the petitioner.

Sudhir Mittal, J. (Oral)

The petitioner has agreed to purchase plot No. 63 measuring 150.66 sq. yards situate at Rajendra Nagar near Sanjay Colony, Rohtak. The vendor has applied to the Municipal Corporation for issuance of NOC but the same has been rejected vide Annexure P-4 on the ground that the land is in an unapproved area.

Learned counsel for the petitioner has submitted that sale deed dated 19.07.2018 was registered in favour of his vendor, namely, Smt. Arti and, thus, there should be no difficulty in issuing NOC. Registration of a sale deed in favour of the vendor implies that the plot is in an approved colony. Further, reliance has been placed upon Annexure P-3 to submit that the Municipal Corporation has issued an identification for the property in dispute and, thus, it is incorrect to say that the area is unapproved.

Both arguments are misconceived. Merely because a sale deed has been registered earlier in favour of the vendor does not imply that the plot lies in an approved area. Reference to Annexure P-3 also cannot help the petitioner as the said document does not give the description of the property in terms of khasra

numbers. Thus, it cannot be said that the property for which identification number has been given is the same as sought to be purchased by the petitioner.

The writ petition has no merit and is dismissed for the aforementioned reasons.

March 30, 2022
poonam

(SUDHIR MITTAL)
JUDGE

Whether Speaking/Reasoned	Yes
Whether Reportable	No