

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CWP-7268-2022****Date of decision: 25.04.2022****Mahender Singh Rathee****....Petitioner****V/s.****State of Haryana and others****.....Respondents****CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA****Present:** Mr. Sunish Bindlish, Advocate
for the petitioner.Mr. Ankur Mittal, Addl.A.G., Haryana with
Mr. Saurabh Mago, A.A.G., Haryana.Mr. Prateek Mahajan, Advocate with
Ms. Perna Malhotra, Advocate
for respondents No. 4 and 5.Mr. Lokesh Sinhal, Advocate
for respondent No.6-HSIIDC.

Ritu Bahri, J. (Oral)

The petitioner is seeking direction to the respondents to execute a registered exchange deed in favour of the petitioner for the equivalent land comprised in Killa No. 11//17/1, Village Badkhalsa, Tehsil and District Sonipat, measuring 1K-0M in total out of which 0K-15M land had been offered to him in lieu of the land acquired by the respondents pursuant to the acquisition proceedings commenced on dated 17.11.2005 in compliance with the directions issued by this Court in CWP-27440-2016 dated 30.11.2017 (Annexure P-1) and subsequently in COCP-3436-2018 dated 17.12.2019 (Annexure P-4), after carrying out proper demarcation without insisting upon the

payment of stamp duty/registration fees by the petitioner as the same were to be borne by respondent No.6-HSIIDC in terms of decision dated 26.12.2017 and in parity with other similarly situated land owners such as the petitioner including Smt. Bharpai w/o Late Surajmal.

Mr. Lokesh Sinhal, Advocate appearing for respondent No.6-HSIIDC informs the Court that a sum of Rs.8,68,302/- has been deposited in the account of respondent No.4-Haryana Shahri Vikas Pradhikarn on account of stamp duty/registration fees.

Learned counsel for the petitioner refers to letter dated 11.03.2020 (Annexure P-11) whereby the Estate Officer, HSVP, Sonipat had written to the Managing Director, HSIIDC, Panchkula regarding payment of stamp duty for execution of Exchange Deed as per COCP-3436-2018 in which the account details of HSVP alongwith the amount had been mentioned.

Since an amount of Rs.8,68,302/- has been deposited in the account of respondent No.4-Haryana Shahri Vikas Pradhikarn on account of stamp duty/registration fees, no further order is required to be passed. It is however observed that in future, if any fresh calculation is done, the same will be borne by respondent No.6 and will be adjusted by respondent No.4. Both the petitioner and respondent No.4 are bound by demarcation report dated 30.01.2020 (Annexure P-8). The possession of the plot will be given by respondent No.4 after doing demarcation. The said exercise shall be

completed within a period of three months.

With these observations, writ petition is disposed of.

(RITU BAHRI)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

25.04.2022
Divyanshi

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