

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

124

**CWP no.10404 of 2022
Date of Decision:20.05.2022**

Ram Singh

..... Petitioner

Versus

State of U.T. Chandigarh and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH
HON'BLE MR. JUSTICE LALIT BATRA**

Present: Mr. Harpreet Singh Rakhra, Advocate,
for the petitioner.

Mr. Deepak Malhotra, Advocate,
for respondents no.1 and 3.

Mr. Gagandeep Singh Wasu, Sr. Standing Counsel,
for respondent no.2- Chandigarh Housing Board.

Mr. Siddarth Sanwaria, Advocate,
for respondent no.4-SBI.

AMOL RATTAN SINGH, J. (ORAL)

On 16.05.2022 the following order had been passed by this court:-

“By this petition, the petitioner seeks issuance of a writ of mandamus, directing the respondents to process the case of the petitioner for grant of a conveyance deed in respect of his free hold property as early as possible, as he has applied for an education loan for the study of his son, vide Annexure P-4 (dated 05.05.2022), from respondent no.4-SBI, which has asked for the conveyance deed of the aforesaid property, with the 'target date' fixed by respondent no.2

being 02.06.2022.

Though obviously the petitioner has approached this court at the last moment to say the very least, which he should have done much earlier, however looking at the circumstances that he is looking for a loan from a bank to fund the education of his son and the objection that the bank is stated to be raising for granting him such a loan for that purpose is that he should deposit the conveyance deed of the property that is to be mortgaged as collateral security with the bank, upon query, learned counsel for the respondent Housing Board has submitted that in fact a conveyance deed has to be issued by the respondent Chandigarh Administration.

As per the proforma submitted in court by learned counsel for Housing Board, the office of the Sub Registrar, UT, Chandigarh, is to inform the petitioner as to the exact amount of the stamp duty as would be required for the conveyance deed to be executed, in respect of a plot measuring 13.21 square yards with the covered being 400.338 square feet.

Notice of motion.

On an advance copy received, Mr. Deepak Malhotra, Advocate appears for the respondent no.1 (UT, Chandigarh), with Mr.Gagandeep Singh Wasu, Sr.Standing Counsel in any case already having appeared on a similar copy received, for the respondent no.2-Housing Board.

Mr. Siddharth Sanwaria, Advocate, appears for respondent no.4-SBI and accepts notice.

Learned counsel for respondent no.1, UT, Chandigarh, would inform the petitioner as well as this court before the next date of hearing as to the exact amount of stamp duty to be paid by the petitioner for execution of the conveyance deed.

However, we make it absolutely clear that as regards issuance of the loan by the respondent Bank (State Bank of India, High Court Branch, Chandigarh), obviously that would be in terms of the

statutory rules as also the RBI guidelines.

Adjourned to 20.05.2022.

To be shown in the urgent motion list.”

Today Mr. Wasu, appearing for the respondent- Housing Board, submits that as a matter of fact the petitioner has already deposited the stamp duty necessary, with the Sub-Registrar Chandigarh; and two working days only are required to issue the actual conveyance deed to him.

Learned counsel appearing for the respondent- SBI has filed a written statement, with him submitting that in fact the petitioner approached the SBI only on 18.05.2022 and that once the conveyance deed is provided to the bank, the process of granting a loan would be expedited.

In view of the above statement made, this petition is disposed of.

(AMOL RATTAN SINGH)
JUDGE

May 20, 2022
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(LALIT BATRA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No