

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

116

CWP-19509-2022

Date of Decision:01.09.2022

Charan Singh

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Rajesh Malik, Advocate for
Mr. Sandeep Singh, Advocate,
for the petitioner.

Mr. Vivek Chauhan, A.A.G., Haryana.

VINOD S. BHARDWAJ , J.(Oral)

Prayer in the instant civil writ petition filed under Articles 226/227 of the Constitution of India is for issuance of a writ in the nature of mandamus directing the official respondents to take appropriate measures so as to register the sale-deed presented for registration dated 22.07.2022 (Annexure P-3) in accordance with law.

Learned counsel appearing on behalf of the petitioner contends that the petitioner's daughter, namely, Kulwant Kaur being unable to maintain her property executed a Power of Attorney in favour of the petitioner authorizing him to deal with the property including the sale/mortgage of the same. The said Power of Attorney was executed in favour of the petitioner on 08.09.2014 (Annexure P-1).

On the strength of the aforesaid Power of Attorney, the

petitioner sold a constructed house measuring 2.75 Marlas/83.18 square yards against the sale consideration of ₹12,42,000/- to one Smt. Krishna Devi. When the sale-deed was to be registered in the office of the Sub-Registrar, General Power of Attorney executed by Kulwant Kaur in favour of the petitioner was verified from the authorities concerned i.e. Sub-Registrar, Pehowa, District Kurukshetra who has duly intimated about the registration of the General Power of Attorney in favour of the petitioner. He contends that the sale-deed was drafted on 22.07.2022 and was put up for registration. The appointment was fixed at 01:48 PM for appearance before the Sub-Registrar for registration of the sale-deed vide token number duly received and the message confirming of appointment was also received by the petitioner. However, when the petitioner reached in the office of the Sub-Registrar for seeking registration of the sale-deed, the officials have neither registered the document nor given any reason for not registering the sale-deed. He also contends that faced with the above, a representation dated 25.07.2022 (Annexure P-5) was sent by the petitioner to the Registrar-cum-Deputy Commissioner, District Ambala. It is contended by learned counsel appearing on behalf of the petitioner that he would be satisfied at this stage, in case, the Registrar-cum-Deputy Commissioner, District Ambala be directed to look into the grievances caused by the petitioner and pass a reasoned and speaking order thereupon.

Notice of motion.

Mr. Vivek Chauhan, A.A.G., Haryana appears and accepts notice on behalf of the respondents-State. He has no objection to the prayer being allowed.

Accordingly, with the consent of the parties, the present writ

petition is disposed of with a direction to the Registrar-cum-Deputy Commissioner, District Ambala, to look into the grievances caused by the petitioner in the representation dated 25.07.2022 (Annexure P-5) and to pass a reasoned and speaking order within a period of three months from the date of receipt of a certified copy of this order after granting an opportunity of hearing to the respective parties.

September 01, 2022
seema

(VINOD S. BHARDWAJ)
JUDGE

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