

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

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CWP-21527-2022
Date of Decision: 19.09.2022

GURNEET KAUR

... Petitioner

Versus

STATE OF HARYANA AND OTHERS

... Respondents

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

Present: Mr. Sukesh K. Jindal, Advocate
for the petitioner.

Mr. Vivek Chauhan, AAG, Haryana.

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been filed under Articles 226/227 of the Constitution of the India for issuance of a writ in the nature of Mandamus directing the respondents to register the sale deed dated 05.09.2022, which is not being registered despite its presentation on various occasions without assigning any justified cause.

Learned counsel for the petitioner contends that petitioner's husband stood guarantor on a loan obtained by M/s Arsh Electronics from Union Bank of India vide sanction letter dated 25.06.2015. The aforesaid loan account was declared as N.P.A., in which one time settlement was made, which was duly accepted vide letter dated 22.06.2022 and the bank had granted the time till 22.09.2022 to deposit the one time settlement (OTS) amount of Rs.22,00,000/- and close the said loan account.

On account of above mentioned exigency/emergency, the petitioner and her husband were in dire need of money to make the payment of OTS amount to the bank. Therefore, the petitioner, being owner of land measuring 73.33 square yards situated at village Kardhan, District Ambala, had put the said property for sale. Consequently, respondent No.4 approached the petitioner for purchasing the suit property for a sale consideration of Rs.15,40,000/-. Learned counsel for the petitioner further contends that the petitioner as well as the subsequent buyer/purchaser had approached the Sub-

Registrar on a number of occasions for getting the sale deed registered. It is contended that despite the land not suffering from any impediment, charge or violation of provisions of Section 7A of the Haryana Development and Regulation of Urban Areas, Act, 1975, the Sub-Registrar, Tehsildar, Ambala Cantt. is neither registering the sale deed nor assigning any valid reason for non-registration thereof. He contends that the petitioner has already served a legal notice dated 07.09.2022 to the Sub-Registrar, Tehsildar, Ambala Cantt. and that he would be satisfied at this juncture in case the respondent No.3-Sub-Registrar, Tehsildar, Ambala Cantt. is directed to pass a speaking order on the said legal notice.

Notice of motion.

Mr. Vivek Chauhan, AAG, Haryana who is present in the Court, accepts notice on behalf of the respondents No.1 to 3 and he has no objection to the aforesaid prayer of the petitioner being accepted.

In view of the above and with the consent of the parties and without commenting anything on the merits of the case, the present petition is disposed of while directing the respondent No.3-Sub-Registrar-Tehsildar, Ambala Cantt. to pass a reasoned and speaking order on the legal notice dated 07.09.2022 (Annexure P-8) served by the petitioner within a period of one week from the date of receipt of the certified copy of this order.

Petition stands disposed of accordingly.

19.09.2022
rajender

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No