

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

CWP-23-2022 (O&M)

Date of Decision:01.02.2022

Om Parkash

..... Petitioner

versus

State of Haryana and others

..... Respondent(s)

**CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA
HON'BLE MR. JUSTICE LALIT BATRA**

Present: Mr.Mohan Singla, Advocate for the petitioner.

Mr.Aman Bahri, Addl.AG, Haryana.

TEJINDER SINGH DHINDSA, J. (ORAL)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Instant writ petition has been filed seeking a mandamus to direct the concerned respondent-authority to transfer the ownership of a commercCWP-23-2022 (O&M)ial booth bearing No.35, situated in Sector MT, Ratia.

Pleadings on record would indicate that allotment of the booth in question had been made in favour of the father of the present petitioner namely Sh.Suraj Bhan vide allotment letter dated 23.03.1981. Afore-noticed Sh.Suraj Bhan is stated to have died on 11.08.2014 leaving behind eight legal heirs including the petitioner.

The precise case projected on behalf of the petitioner is that

inspite of there being no legal hitch, the request for transfer of ownership of such booth site in the name of the petitioner is not being acceded to.

Petition had come up for preliminary hearing on 06.01.2022 and Mr.Aman Bahri, learned Addl.AG, Haryana had entered appearance on behalf of respondents No.1 to 3 and had been requested to complete instructions in the matter.

During the course of resumed hearing today, learned State counsel informs us that the outstanding dues pertaining to the booth in question are Rs. 2,97,060/-. Further more, since the original allottee has died and has left behind eight legal heirs, a No Objection Certificate would be required to be provided from the other legal heirs so as to facilitate transfer of ownership in the name of the present petitioner.

Statement made by learned State counsel is that in the eventuality of the petitioner fulfilling the afore-noticed two requirements of paying the outstanding amount of Rs. 2,97,060/- as also providing No Objection Certificates from the other legal heirs, the file as regards transfer of ownership would be processed expeditiously and in any case within a period of four weeks from the date the petitioner fulfils the requirements as noticed herein above.

Counsel for the petitioner has accepted the stand taken on behalf of the respondents and is agreeable to do the needful.

In the light of the above, no further directions are required to be passed.

Respondents would remain bound by the statement recorded of learned State counsel.

Needless to observe that the petitioner would also be liable to deposit the applicable transfer fee.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

(LALIT BATRA)
JUDGE

01.02.2022
sunita

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