

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

CWP No.27310 of 2022

Date of Decision: 30.11.2022

Kanta Handa

.....Petitioner

Versus

State of Haryana and Ors.

.....Respondents

**CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU
HON'BLE MR. JUSTICE LALIT BATRA**

Present: Dr. Payel Mehta, Advocate for the petitioner.
Mr. Ankur Mittal, Advocate with
Mr. Jugam Arora, Advocate for the respondents-HSIIDC.

HARINDER SINGH SIDHU, J

The petitioner is a widow aged about 90 years. Industrial Plot No.323, Industrial Area, Phase-I Panchkula was allotted to her late husband Om Prakash Handa under Ex-serviceman category in 1977. Her husband passed away on 28.01.1986. After the death of her husband, the said industrial plot was transferred in the name of the petitioner vide transfer letter dated 07.10.1989. It is stated that in the year 1989, the petitioner entered into an agreement to sell with one Om Parkash Aggarwal. She also received part consideration from Om Prakash Aggarwal. It was agreed that the property be got transferred in his name after paying balance consideration. However, Om Parkash did not comply with the terms of the agreement and did not pay the balance sale consideration.

Hence, sale deed was not executed in favour of Om Parkash Aggarwal.

Petitioner has now learnt that one Meenakshi Gupta along with her husband Arun Gupta in connivance with Om Parkash Aggarwal has forged General Power Attorney of the petitioner in favour of Meenakshi Gupta whereas no such power of attorney was executed by the petitioner.

On the basis of the forged power of attorney, the plot has now been transferred in the name of Arun Gupta, husband of Meenakshi Gupta. Petitioner came to know this fact only in April-May 2022 when certain officials, who projected themselves to be employees of Electricity Department, Panchkula, Water and Sanitation Department, HUDA, Panchkula and HSIIDC visited her to enquire about water and electricity connections besides asking for details of ownership/title status of her plot. The petitioner was made to sign certain documents as well.

The limited prayer of the petitioner is that the documents pertaining to the said industrial plot originally allotted in the name of her husband and subsequently transferred in her name be given to her.

Mr. Mittal, learned counsel representing the respondents-HSIIDC submits that in fact, the petitioner had applied under the provisions of Right to Information Act, 2005 for obtaining information about her property. She was informed that the plot has now been transferred in the name of Arun Gupta, who (being third party) has not consented to provide any such information sought by the petitioner.

Be that as it may, taking note of the fact that the husband of the petitioner was the original allottee and later the plot was transferred in the name of the petitioner and the allegation of the petitioner is that Meenakshi Gupta has forged her power of attorney and got the plot transferred in name of Arun Gupta (husband of Meenakshi Gupta), it is deemed appropriate that the petitioner be

Supplied necessary information/documents pertaining to the said plot in order to

seek any remedy, in accordance with law.

Accordingly, instant petition is disposed of with a direction to respondent No.3 to provide relevant documents pertaining to the plot to the petitioner.

(Harinder Singh Sidhu)
Judge

November 30, 2022
manoj

(Lalit Batra)
Judge

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