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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

COCF No.1293 of 2018 (O&M)

Date of decision: 12.01.2023

Bhavana Gupta

....Petitioner

Versus

T.L. Satyaprakash

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Ms. Amanpreet Kaur, Advocate
for Mr. Narender Pal Bhardwaj, Advocate
for the petitioner.

Mr. Prateek Mahajan, Advocate
with Mr. Daanish Mahajan, Advocate
for the respondent.

ARVIND SINGH SANGWAN J. (Oral)

The petitioner alleges violation of the order dated 27.11.2015 vide which while disposing of the writ petition of number of persons, a direction was issued that the allotment of plots where the construction has been partly or completely completed stands quashed with a direction to HSIIDC to assess the costs of construction as on 27.03.2015 and to pay the costs of construction and allotment price along with 10% interest per annum. Secondly, where the construction was commenced, the HSIIDC was directed to take over the plant and machinery of 122 plots by preparing an inventory, however, no relief was granted with regard to the plots, which were lying vacant.

As per the details of the plots, 10 plots were lying vacant and it is the stands of the respondent that the plot of the petitioner was surrendered by her on 06.02.2014 and the amount was paid back by the

HSI IDC except the interest/penal interest part. It is stated in the affidavit of the HSI IDC that in terms of the order of the aforementioned order, 03 members committee was constituted, which has found that no claim of the petitioner is made out. It is also stated that later on, the petitioner filed an independent writ petition i.e. CWP No.28351 of 2017, which was disposed of on 14.12.2017 (Annexure P-24) directing the respondent to decide the legal notice of the petitioner. Counsel for the respondent has further argued that now the legal notice of the petitioner stands decided and the petitioner is not found to have any claim, copy of which is attached as Annexure P-26.

In view of the above, no willful disobedience of the order is made out.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

12.01.2023
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No