

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

CWP No.7596 of 2023 (O&M)

Date of Decision: 17.04.2023

Usha Yadav

..... Petitioner

V/s.

State of Haryana and Others

.....Respondents

CORAM: HON'BLE MR. AUGUSTINE GEORGE MASIH
HON'BLE MR. HARPREET SINGH BRAR

Present: Mr. Gaurav Aggarwal, Advocate
for the petitioner.

Augustine George Masih, J. (Oral)

Learned counsel for the petitioner contends that in pursuance of the order dated 23.02.2023 (Annexure P-3), all fresh stilt + 4 building plan approved for residential purpose has been kept in abeyance. Learned counsel contends that because of the said orders having been passed, the whole process of the bidding for which the petitioner gave the highest bid and taking into consideration the higher FAR which was 2.4, the petitioner would not be in a position to get conducted the construction thereon.

The petitioner having been aggrieved by the said decision taken by the respondents, submitted that a representation dated 25.02.2023 (Annexure P-4) in this regard, which was sent to Chief Adminsitrator, HSVP, Panchkula. The subsequent representations/ reminders were also sent. None of the representations have been responded to.

Learned counsel for the petitioner contends that the petitioner has to deposit 15% of the amount on or before 29.04.2023. In case, the said representations as submitted by the petitioner are not decided prior to the said date, the petitioner would be bound to deposit 15% amount, as per the Letter of Intent dated 31.03.2023 (Annexure P-8) and in default thereof, the same would

lead to forfeiture of the 10% of the amount which has already been deposited by the petitioner. Because of the non-decision of the respondents as mentioned above, the petitioner would suffer an irreparable loss. Prayer has been made that said representations as submitted by the petitioner may be decided prior to 29.04.2023.

Notice of motion.

On the asking of Court, Mr. Pravindra S. Chauhan, Sr. Addl. A.G., Haryana, accepts notice on behalf of respondent(s)-State.

Without going into the merits of the case or commenting thereon, the present writ petition is disposed of with a direction to Chief Administrator, HSVP (respondent No.3) to consider and decide the representation dated 25.02.2023 (Annexure P-4), of the petitioner prior to the date on which the petitioner is required to deposit 15% of the amount as per the letter of intent issued in his favour. The decision so taken, be conveyed to the petitioner forthwith.

A copy of this order be given to the learned counsel for the respondents for giving information and its compliance by respondent No.3.

(AUGUSTINE GEROGE MASIH)
JUDGE

17th April, 2023

Sonia Puri

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No