

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
120**

CWP-9773-2023

Date of decision: 08.05.2023

JOGINDER RANA

.....PETITIONER

Versus

HARYANA SHEHRI VIKAS PRADHIKARAN AND OTHERS

.....RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI
HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

**Present: Mr. Rajesh Arora, Advocate,
for the petitioner.**

AUGUSTINE GEORGE MASI, J. (ORAL)

Counsel for the petitioner contends that the petitioner having been successful in the bid for the allotted Kiosk No. 32, Sector Palam Vihar, 1A, Urban Estate, Gurugram, he has deposited the 25% of the amount after the issuance of a Letter of Intent (LOI) but thereafter, because of certain reasons, was unable to pay the remaining amount.

In the light of the subsequent policy, which has come at the end of respondents themselves, i.e. 10.02.2023 (Annexure P-4) and thereafter, a public notice, petitioner had been approaching the respondents by way of various representations for restoring the said kiosk with the request that the remaining amount could be permitted to be deposited along with the requisite interest as per the said Policy dated 10.02.2023 (Annexure P-4).

Counsel for the petitioner contends that the representations, which were submitted well in time and during the operation of the policy,

have not been considered and nor any decision taken thereon. Counsel has also referred to the Letter dated 21.02.2023 (Annexure P-9) sent by the Estate Officer-I, HSVP, Gurugram-respondent No. 3 to the Chief Controller of Finance, HSVP, Sector-6, Panchkula-respondent No. 2, which also has not resulted in any decision. The competent authority, according to the Policy dated 10.02.2023 (Annexure P-4), is the Chief Administrator, HSVP, Panchkula-respondent No. 1 and, therefore, the matter has, ultimately, been put up before the said authority for decision.

Counsel for the petitioner contends that the petitioner, at this stage, would be satisfied if directions are issued to the Chief Administrator, HSVP, Panchkula-respondent No. 1 and the Chief Controller of Finance, HSVP, Sector-6, Panchkula-respondent No. 2 to consider the claim of the petitioner, as has been put forth by him in his representations dated 15.02.2023, 20.02.2023 and 27.01.2023 (Annexures P-5 to P-7 respectively) within some specified time.

Notice of motion.

On the asking of the Court, Mr. Pravindra S. Chauhan, Advocate, accepts notice on behalf of the respondents.

Without going into the merits of the case or commenting thereon, we dispose of the present writ petition with directions to the Chief Administrator, HSVP, Panchkula-respondent No. 1 and the Chief Controller of Finance, HSVP, Sector-6, Panchkula-respondent No. 2 to consider the claim of the petitioner, as has been projected by him in his representations dated 15.02.2023, 20.02.2023 and 27.01.2023 (Annexures P-5 to P-7 respectively), within a period of eight weeks from today keeping in view the Policy of the respondents dated 10.02.2023 (Annexure P-4) read with the

communication/letter dated 21.02.2023 (Annexure P-9). Decision, so taken, be conveyed to the petitioner forthwith.

In case the claim of the petitioner is accepted after giving liberty to the petitioner to deposit the amount, the consequential relief be also granted to him.

(AUGUSTINE GEORGE MASIH)
JUDGE

08.05.2023
PJ

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*