

104/208

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-661-CWP-2023 in/and
CWP-14256-2019 (O&M)
Date of decision: 20.03.2023

Chander Mohan Kharbanda

.....Petitioner.

vs.

**Haryana Shehari Vikas Pradhikaran (HSVP)
and others**

.....Respondents.

**CORAM: - HON'BLE MR JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE SANJIV BERRY**

Present: - Mr. Sunil K. Nehara, Advocate, for the petitioner.

Mr. Pravindra S. Chauhan, Advocate,
for respondents No. 1 to 3-HSVP.

Mr. Harkirat Singh, Advocate,
for Mr. Vikram Singh, Advocate, for respondent No. 4.

AUGUSTINE GEORGE MASIH, J.

CM-661-CWP-2023

Application is allowed. Representation dated 10.01.2023 and postal receipt dated 11.01.2023 are taken on record as Annexures P-11 and P-12, respectively, subject to all just exceptions and exemption to file the certified copies of the same is dispensed with.

Counsel for the respondents have been handed over copy of the application along with the Annexures in Court today by counsel for the petitioner.

**CM-661-CWP-2023 in/and
CWP-14256-2019 (O&M)**

Main case

Learned counsel for the petitioner contends that during the pendency of the writ petition physical possession of the Plot No. 34-P, Sector 50, Gurugram, has been handed over to the petitioner. He, however, claims interest for the amount which has been deposited by the petitioner for the plot, in question, but the possession was not delivered to him because of non development of the said area within the stipulated period of three years as per the Policy dated 18.02.2013 of the Haryana Shehari Vikas Pradhikaran (HSVP). Putting forth that claim, the petitioner has submitted a representation dated 10.01.2023 (Annexure P-11) addressed to the Chief Administrator HSVP, Panchkula, and the Estate Officer-II, HSVP, Gurugram, which may be considered and a decision taken thereon within some specified time.

Counsel for the petitioner contends that the petitioner at this stage would be satisfied if a direction is issued to decide the aforesaid representation within some specified time.

In the light of the fact that the possession has already been handed over of the plot to the petitioner during the pendency of the writ petition and the petitioner is claiming interest on the basis of the Policy as framed by HSVP, we dispose of the writ petition with a direction to the Estate Officer-II, HSVP, Gurugram- respondent No. 3, to consider the representation dated 10.01.2023 (Annexure P-11) and take a decision thereon within a period of six weeks.

**CM-661-CWP-2023 in/and
CWP-14256-2019 (O&M)**

Decision so taken be conveyed to the petitioner forthwith.

In case the claim of the petitioner is accepted the consequential
benefits be released to the petitioner within a further period of three weeks.

**(AUGUSTINE GEORGE MASIH)
JUDGE**

**(SANJIV BERRY)
JUDGE**

20.03.2023

preeti	
whether speaking/non speaking	yes/no
whether reportable/non reportable	yes/no