

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

CWP No.14803 of 2022 (O&M)

Date of Decision :14.12.2023

Atul Marwaha

.....Petitioner

Versus

The Chief Administrator and others

..... Respondents

**CORAM: HON'BLE MR.JUSTICE ARUN PALLI, JUDGE
HON'BLE MR.JUSTICE VIKRAM AGGARWAL, JUDGE**

Present : Mr. Sarabjit Singh Sidhu, Advocate for the petitioner.

Mr. Amit Jaiswal, Advocate for respondents No.1 and 2.
Mr. Shreesh Kakkar, Advocate for
Mr. Kapil Kakar, Advocate for respondent No3.

ARUN PALLI, J. (Oral):

In reference to the averments, set out in paragraphs 6, 7 and 8 of the response, submitted on behalf of respondents No.1 and 2, extracted below, learned counsel for respondents No.1 and 2 submits that in so far as Rs. 40,000/- remitted by the petitioner vide a draft dated 06.12.2003 the authorities **have updated the said amount in the Plot and Property Management portal.** And, since the petitioner has also cleared the outstanding amount of Rs.2,41,262/- on 21.01.2023 in relation to extension amount plus extension surcharge, nothing substantive survives in the petition:-

“6. That so far as the prayer to credit/adjust an amount of Rs.40,000/- remitted by petitioner vide draft No.82777 dated 6.12.2003 issued by State Bank of Patiala is concerned, the same has been rendered infructuous as after due verification of the record, the aforementioned amount has been updated by the answering respondent no.2 in the Plot and Property Management i.e.PPM (online portal of HSVP).

7. That as per the condition No.17 of the allotment letter

(Annexure P-2) the petitioner was supposed to complete the construction within two years from the date of offer of possession but the petitioner has not raised the construction on the plot till date thus extension was levied on the petitioner as per the relevant policy. It may be appreciated that the amount of extension fee increases every year as per HSVP policy till the construction on the plot is completed by the allottee as per terms and conditions of the allotment letter and the samelastly stood at Rs.2,41,262/- (Extension amount Rs.1,37,282/- plus extension surcharge Rs.1,03,980/-).

8. That it is most pertinent to mention that the petitioner has cleared the above-mentioned outstanding amount of Rs.2,41,262/- on 21.1.2023 therefore even on this count the writ petition has become infructuous. However, in case the petitioner still does not raise construction over the plot in question then the extension fee as per the policy will be levied”.

Learned counsel for the petitioner does not dispute the factual position, set out above, and fairly submits that let this petition be disposed of as having been rendered infructuous.

Ordered accordingly.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

14.12.2023

Manoj Bhutani

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