

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

(134)

CWP-12909-2023**Date of decision: - 02.06.2023****Jaspal Singh****....Petitioner****Versus****State of Haryana and others****.....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. Arun Bansal, Advocate, for the petitioner.

Ms. Upasana Dhawan, AAG, Haryana,
for respondents No.1 to 3.

VIKAS BAHL, J. (ORAL)

1. This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ of certiorari or mandamus for setting aside the letter/notice dated 09.05.2023 (Annexure P-17).

2. Learned counsel for the petitioner has submitted that the allotment in favour of the grandfather of the petitioner was made on 16.04.1969 and on different dates, the government authorities have been asking for different documents for the issuance of the sale certificate in favour of the petitioner. It is further submitted that the Tehsildar (Sales), Ambala may put all the objections, if any, to the petitioner in a time bound manner and the petitioner be permitted to file a reply to the present notice dated 09.05.2023 as well as to the subsequent notice/objection issued so that the entire issue can be resolved.

3. Learned State counsel has submitted that in case, in addition to the objections raised in the notice dated 09.05.2022, there are any other

objections in the issuance of the sale certificate, then, the petitioner and the other applicants would be informed about the same within a period of three weeks from today and in case, a reply is filed by the petitioner thereafter, the same would be considered before taking a final decision on the same and the same would be done as expeditiously as possible.

4. Keeping in view the above-said facts and circumstances, the present writ petition is disposed of with the following directions: -

- (i) In case there is any objection in the issuance of the sale certificate other than the objections which have already been mentioned in the notice dated 09.05.2023, then, it would be open to the Tehsildar (Sales), Ambala to issue notice to the petitioner and the other applicants informing them about the said objections within a period of three weeks from today.
- (ii) It would be open to the petitioner to file a detailed reply to the notice dated 09.05.2023 as well as to the subsequent objection/notice, if any, issued by the Tehsildar (Sales) Ambala within a period of five weeks from today. The authorities would then pass an appropriate order under Rule 7 of the Haryana Evacuee Properties (Management & Disposal) Act, 2008, after taking into consideration the reply, if any, filed by the petitioner, as expeditiously as possible.

5. It is made clear that this Court has not opined on the merits of the case and the respondent authorities would decide the same independently, in accordance with law.

June 02, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No