

Neutral Citation:2023:PHHC:096192-DB

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

CWP No.15989 of 2023

Date of decision:27.07.2023

The Ranvir Co-op. GHS Ltd.

...Petitioner

Versus

State of Haryana and others

...Respondents

**Coram: Hon'ble Mr. Justice G.S. Sandhawalia
Hon'ble Ms. Justice Harpreet Kaur Jeewan**

**Present:- Mr. Rajiv Sharma, Advocate,
for the petitioner.**

G.S. Sandhawalia, J. (Oral)

1. The petitioner seeks directions to the respondents for delivery of possession of plot No.GH-26, Sector-2, Palwal or to allot an alternative plot of the same area and size apart from the other reliefs which have come up on account of delay as such regarding delivery of possession.
2. It is the case of the petitioner that vide letter dated 30.03.2007 (Annexure P-1), plot No.26 in Sector-2, Palwal, measuring 2000 sq. mtrs., was allotted in its favour on free hold basis for a sum of Rs.56,00,000/- for Group Housing site. However, possession of the same could not be delivered as is evident from communication dated 05.02.2009 (Annexure P-2). A representation dated 31.12.2018 (Annexure P-3) was apparently made thereafter in this regard. Reminders were also sent on 24.01.2019 (Annexure P-4) and on 17.02.2020 (Annexure P-5) that the petitioner has applied for possession of the plot and the needful be done. Apparently, vide communication dated 25.04.2020 (Annexure P-6) received from the Estate Officer, HSVP, Faridabad, there is denial regarding delivery of possession on the ground that the area at site is not as per approved zoning plan as per report of the S.D.E. Survey.

3. It is in such circumstances, the petitioner has approached this Court on the strength of various policies of the State for allotment of alternate site on the ground that it was not under fault due to which the delay has taken place and the amount of Rs.56,00,000/- also stands deposited.

4. Notice of motion.

5. On asking of the Court, Mr. Aman Bahri, Additional Advocate General, Haryana, accepts notice on behalf of the respondent-State and Mr. Deepak Sabharwal accepts notice on behalf of respondents no.2 to 5 and assures to look into the matter.

6. At this stage, we do not find it necessary to call for reply since decision making is still to be finalized.

7. Keeping in view the above, since a vested right has accrued in favour of the petitioner on account of allotment letter and there are policies of the State regarding allotment of alternate site in lieu of any disputed plot, we dispose of the present writ petition with a direction to respondent no.2 to take a decision keeping in view the aforesaid aspect in mind within a period of 2 months from the date of receipt of certified copy of this order. In case there is any legal impediment as such in allowing claim of the petitioner, a detailed speaking order be passed by respondent no.2 in this regard.

(G.S. Sandhawalia)
Judge

(Harpreet Kaur Jeewan)
Judge

July 27, 2023
vinod*/Ramandeep Singh

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No