

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-21664-2023

Date of decision:20.11.2023

Rupinder Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

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

Present: Mr. Vipin Kumar, Advocate,
for the petitioner.

Mr. V.G. Jauhar, Additional Advocate General, Punjab.

ARUN PALLI, J. (Oral)

In compliance to the order dated November 16, 2023, learned State counsel has produced an affidavit of the Deputy Commissioner, SAS Nagar, dated 20.11.2023, on behalf of the respondents No. 1 and 2, and the same is taken on record.

Paragraph Nos.1 to 3 of the affidavit read as thus:-

1. "That the present Status report is being filed by Respondent No.2 (on behalf of Respondent no.1 and 2). That the Deponent received the Certificate of Recovery of due amount of Rs 24,09,898/- against Respondent No. 3-Preet Land Promoters and Developer Pvt. through its Director Charan Singh Saini, Sector 86, S.A.S. Nagar (Mohali), Punjab from Respondent No.4-Punjab Real Estate Regulatory Authority as per Memo No.RERA/PB/Legal/2023/5640, dated 17.05.2023. That the Deponent during the procedure of recovery sent the concerned documents to the Tehsildar, Mohali vide Letter No.773/ADRA-1 dated 19.06.2021 for the compliance of the above said Order. That during the procedure of the recovery, the Tehsildar, Mohali, after giving an opportunity to the concerned party vide his office letter No.628 dated 08-09-2023 to present their case on 14-09-2023, but no one appeared on

behalf of respondent No.3, due to which report from the concerned Patwari Circles has been asked for by the Tehsildar, Mohali regarding the property of the respondent No.3 Permission was given by SDM Mohali vide letter No 769/M.C. Dated 17.11.2023 to attach the property of respondent no 3. Patwari attached the property of respondent no 3 vide Rapat No. 81 dated 17.11.2023 i.e. in Khewat/Khatauni No 165 situated at Village Nanu Majra, concerned Patwari vide Rapat No. 85 dated 17.11.2023 i.e. in Khewat/Khatauni No 53,109,266,268,324,328,340,417,418 situated at Village Mauli Baidwan, Rapat No.116 dated 17.11.2023 situated at Village patti sohana i.e. in Khewat No.21/27 Khatauni No.27.

2. That the A.C. Ist Grade, Mohali had written to the Deponent for permission of sale of the above attached property. Thereafter, the Deponent gave permission of sale of attached property for the compliance of recovery as per Letter No. 1421/ADRA/ dated 17.11.2023.

3. That the Tehsildar, Mohali has issued the Notice of Auction and Auction has been fixed on 04.12.2023 at 10.00 AM”.

Learned counsel for the petitioner submits that since the property of respondent No.3 has been attached on 17.11.2023 and the same has now been put to auction for 04.12.2023, therefore, nothing substantive survives in the petition and the same be disposed of, as having been rendered infructuous.

Ordered accordingly.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

20.11.2023
Ak Sharma

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