

2023:PHHC:136028-DB
**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-23746-2023

Date of decision: 18.10.2023

Mohan Kumar

....Petitioner

Versus

State of Haryana and others

....Respondents

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

Present: Mr. Dinesh Kumar Dakoria, Advocate,
for the petitioner.

ARUN PALLI, J. (Oral)

The petitioner prays for a Mandamus to command Haryana Real Estate Regulatory Authority (respondent No.3) to take over the physical possession and control of the lapsed affordable housing project, i.e. Mahira Homes, at Sector-68, Village Badshapur, Gurugram, from M/s Sai Aaina Farms Private Limited (respondent No.5) to carry out the remaining development works. Further, to extend all admissible facilities/amenities, pursuant to the Apartment Buyer Agreement dated 05.06.2018, that was executed pursuant to the Affordable Housing Policy, 2013.

Having argued the matter at some length, learned counsel for the petitioner submits that prior to the institution of this petition, the petitioner had even moved the authorities vide representation dated 13.07.2023 (P-11). It is urged that even though a considerable time has elapsed, but the matter has not made any tangible progress, and as a result, interest of the petitioner is severely impacted.

Upon being served with the advance copy of the petition, Mr. Ankur Mittal, Advocate, and Ms. Kushaldeep Kaur, Advocate, on behalf of respondent No.3, are present in Court. He submits that let this petition be disposed of, at this stage, so as to enable the competent authority, which is alleged to be in seisin of the grievances/concerns of the petitioner, to deal with the matter, and pass appropriate orders, in accordance with law.

Learned counsel for the petitioner is agreeable to the course suggested by the learned counsel for respondent No.3.

In the wake of the statements made by learned counsel for the parties, the petition is disposed of, in terms thereof.

This Court is sanguine that if the competent authority (respondent No.3) is, indeed, seized of the representation (*ibid*), the same shall be considered. And, appropriate orders, in accordance with law, shall be passed thereon, as expeditiously as possible.

Needless to assert, this order shall not constitute an expression of opinion on the merits of the case of either party, for, as indicated above, the authorities would examine the grievances of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

18.10.2023

Ak Sharma

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