

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-23241-2023

Date of decision: 12.12.2023

M/s RV Realtors

....Petitioner

Versus

State of Haryana and others

....Respondents

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

Present: Mr. Rajiv Malhotra, Advocate, and
Mr. Avichal Sharma, Advocate
for the petitioner.

Mr. Deepak Sabherwal, Advocate,
for the respondent-HSVP.

ARUN PALLI, J. (Oral)

The petitioner herein has prayed for the following
substantive relief:-

***“Issue of a writ in the nature of MANDAMUS
directing the respondent to facilitate the opening of the
portal so that “Permission to Mortgage” can be obtained
and petitioner is able to comply with the orders of this
Hon’ble court well within the time frame.***

***Issue any other order, direction or writ as this
Hon’ble Court may deem fit be passed in favour of the
petitioner keeping in view the facts and circumstances of
the present case.”***

Having argued the matter at some length, learned counsel
for the parties have reached a consensus: concededly, the petitioner has
already deposited 25% of the consideration qua the auctioned site. Even
though the petitioner has missed the appointed date to deposit the balance
75%, but in case, it deposits the requisite amount (75% along with

interest), within three weeks from today, to avert any complications on account of non-compliance of the terms of the letter of intent, the authorities shall accept the amount. Learned counsel for the respondent-HSVP submits that the web portal shall be opened by the authorities to facilitate the deposit of the amount by the petitioner. And, as regards the issue concerning the Floor Area Ratio (FAR) of the auctioned site, for it was/is kept in abeyance, pursuant to the order dated February 23, 2023, let this petition be disposed of, at this stage, to await the final orders that shall be passed by the competent authority in this regard. And in the event, the petitioner is aggrieved by the final decision, it shall be at liberty to avail all such remedies, as shall be admissible in law.

Accordingly, a cheque of Rs.2,64,80,625/-, which was given to the learned counsel for the respondent-HSVP on October 13, 2023, in Court, is handed over to the learned counsel for the petitioner, to enable the petitioner to deposit the balance payment (75%, along with interest).

The petition is accordingly disposed of, in terms of the statements made by learned counsel for the parties.

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated above, the competent authority shall examine the concerns/grievances of the petitioners, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

12.12.2023
Ak Sharma

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