

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

CWP-26033-2023

Date of decision: 20.11.2023

Satya Devi and another

... Petitioners

Versus

Greater Mohali Area Development Authority and others

... Respondents

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

Present: Mr. Somil Chowdhary, Advocate, for the petitioners.

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

ARUN PALLI, J. (Oral)

The petitioners herein have prayed for the following substantive relief:

**“Civil Writ Petition Under article 226 of the
Constitution of India, 1950 to issue a writ in the nature
of certiorari for giving direction to the Respondents to
get the reinspection of the plot no.3509, Sector-71,
Mohali and setting aside the order dated 21.03.2022 (P-
2) by which Compounding fees of Rs.5,67,597/- is
Imposed on the petitioners in the interest of justice**

AND/OR

**It is further during the pendency of the present petition
the operation and effect of by which compounding fees**

has been imposed on the petitioners may kindly be stayed in the interest of Justice.

AND/OR

To issue any other writ, order or direction, which this Hon'ble Court may deem fit and proper in the facts and circumstances of this case."

Learned counsel for the petitioners submits that they had purchased the plot in question from the original allottee (Gurmeet Kaur) on 19.05.2016. He submits that vide impugned communication, dated 21.03.2022 (Annexure P-2), a sum of Rs.5,67,597/- is sought to be recovered on account of compounding fee, and further a sum of Rs.687/- as scrutiny fee of maps, as the petitioners are alleged to have constructed a room at full height in the back courtyard of H.No.3509, Sector 71, SAS Nagar on the ground floor. He submits that in response to the said communication, the petitioners vide their reply (Annexure P-3) have clarified that neither their vendor prior to 2016, nor the petitioners post 2016, have raised any such construction at the site. Further, the report on the basis whereof the impugned communication appears to have been issued, is apparently misconceived and incorrect. Therefore, it would be expedient if the site in question is re-inspected by the concerned authority before proceeding further in the matter.

Served with the advance copy of the petition, Mr. V.G. Jauhar, learned Additional Advocate General, Punjab, is present on behalf of the respondents in Court. He submits that as the reply submitted by the petitioners is pending consideration before the competent authority, it would be expedient if the petition is disposed of, at this stage, to enable the respondent authorities

to deal with the concerns/grievances of the petitioners. And pass appropriate orders, in accordance with law.

Learned counsel for the petitioners is in agreement with the course suggested. He submits that let the petition be disposed of in terms of the statement made by learned counsel for the respondents.

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 grievances of the petitioners, strictly in accordance with law.

(Arun Palli)
Judge

(Vikram Aggarwal)
Judge

20.11.2023
Rajan

Whether speaking / reasoned:
Whether Reportable:

YES/NO
YES/NO