

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-16-2024

Date of decision: 08.01.2024

Jyoti Yadav

....Petitioner

Versus

Haryana Shehari Vikas Pradhikaran and others

....Respondents

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

Present: Mr. Gaurav Bakshi, Advocate,
for the petitioner.

ARUN PALLI, J. (Oral)

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

“Civil Writ Petition under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus for directing the Respondents to not finalize or act upon the “tentative” layout plan of Pocket 14 of Sector 24-25 A submitted by Department of Town & Country Planning to the Administrator, Haryana Shehri Vikas Pradhikaran (“HSVP”) with a copy to DTP, Estate Officer of HSVP and Estate Officer of E-Auction wing, Gurugra, on date 03 January 2023, at this belated stage, after having successfully conducted public auction for certain plots/units therein and without even inviting the objections of the public at large, and at this belated stage when Petitioner is in process of making payment of remaining 75% of bid amount to HSVP to secure allotment and possession of the Plot No.80 in Pocket 14, Sector 24-

25A, Gurugram, basis the letter of intent issued by HSVP to the Petitioner.

And/or

For issuance a writ in the nature of mandamus for directing the Respondents to issue the allotment letter and possession certificate as well as physical possession of Plot no.80 in Pocket 14, Sector 24-25A, to the Petitioner forthwith, subject to payment of balance 75% of bid consideration, as per the terms of the Letter of Intent.”

Learned counsel for the petitioner, at the outset, submits that prior to the institution of this petition, the petitioner had even moved a complaint dated October 30, 2023 (P-9) qua her concerns and grievances, followed by a representation (P-11). But to no avail.

Served with the advance copy of the petition, Mr. Deepak Sabherwal, Advocate, for the respondent-HSVP, is present in Court. He submits that as the competent authority is already in seisin of the concerns/grievances of the petitioner, it would rather be expedient, if the petition at hand is disposed of, at this stage, to enable it to deal therewith, and pass necessary orders on the representation/complaint submitted by the petitioner, in accordance with law. Further, he submits that before any such orders are passed, the petitioner shall also be afforded a hearing.

Learned counsel for the petitioner is in agreement with the course suggested by the learned counsel for the respondent-HSVP, and submits that let this petition be disposed of, in terms of the statement made by him. However, it is urged that the authorities be directed to do the needful within a specified time.

In response, learned counsel for the respondent-HSVP, on instructions, submits that the petitioner shall be heard at 10:00 AM on 09.01.2024 itself, and the necessary information/intimation in this regard shall be shared with the counsel for the petitioner today. And the appropriate orders shall be passed at the earliest.

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

This Court is sanguine that the competent authority shall look into the matter in the right earnest. And as undertaken, the appropriate orders shall be passed as expeditiously as possible.

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 petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

08.01.2024
Ak Sharma

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