

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-3139-2024
Date of decision: 13.02.2024

Priyanka GuptaPetitioner

Versus

Haryana Shehri Vikas PradhikaranRespondent

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

Present: Mr. Vishisht, 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 praying for the issuance of:-*

*A writ of mandamus declaring that demand of
Rs. 306900 being arbitrary, without jurisdiction, void, in
violation of the procedure prescribed by the law &
inconsistent with fundamental right guaranteed to the
petitioners under articles 14 and 19 of the constitution of
India.*

*A writ of mandamus directing the respondent to
refund the amount of Rs.306900/- along with interest
which was paid under-protest and has been wrongly
calculated by the HSVP system against the plot in June,
2023, whereas in May, 2023 the account statement
showed NIL balance outstanding against the plot.”*

Learned counsel for the petitioner submits that prior to the
institution of this petition, the petitioner had even served the respondent
authorities with a legal notice dated 05.11.2023 (P-14). However, even
though a considerable time has elapsed, but the matter has not made any
tangible progress. Resultantly, interest/rights of the petitioner continue to
suffer.

Served with the advance copy of the petition, Mr. Deepak Sabherwal, Advocate, for the respondent-HSVP, is present in Court. At the outset, he submits that as the competent authority is already in seisin of the concerns/grievances of the petitioner, it would be expedient if this petition is disposed of, at this stage, to enable the respondent authorities to consider and pass necessary orders on her legal notice (*ibid*), in accordance with law. Further, he submits that before any such orders are passed, the petitioner, if so required, shall also be afforded a hearing.

Learned counsel for the petitioner is in agreement with the course suggested by learned counsel for the respondent, 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 submits that appropriate orders shall be passed within a period of eight weeks from today.

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

This Court is sanguine that the authorities shall look into the matter in the right earnest. And the appropriate orders shall be passed within the time indicated by the learned counsel for the respondent.

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

13.02.2024
Ak Sharma

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