

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

CWP No.2365 of 2024 (O&M)

Date of Decision :05.02.2024

Virkam Singh

.....Petitioner

Versus

Haryana Urban Development Authority and others

..... Respondents

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

Present : Mr. Sandeep Dhull, Advocate for the petitioner.

Mr. Deepak Sabherwal, Advocate for respondents.

ARUN PALLI, J. (Oral):

The petitioner has prayed for the following substantive relief:-

“Civil Writ Petition under article 226/227 of the
Constitution of India with a prayer for issuance of a writ in the nature
of certiorari for quashing the demand of outstandings dues raised by
respondent No.3, order dated 20.04.2016 passed in appeal by the
Hon’ble Administrator HUDA exercising the powers of Chief
Administrator HUDA vide which claim of the petitioner has been
rejected and the award dated 07.08.2023 vide which claim of the
petitioner also has been rejected by Permanent Lok Adalat, in the
interest of justice.

AND

It is further a writ in the nature of mandamus for
directing the respondents to issue no dues certificate to the petitioner.”

In brief the stand set out by the respondents before the authorities
has been that since a sum of Rs.18,81,000/- (approximately) were not
deposited by the petitioner towards extension fee, therefore, the petitioner
could not be issued the NO Dues Certificate (NDC). And, as a result, in the
absence of NDC, he could not be issued the completion/occupation certificate.

However, learned counsel for the respondents fairly submits that in terms of

the policy of the Government, in relation to extension fee, in vogue, the extension fee including interest as on 29.11.2021, was reduced to Rs.4,41,442/-. Accordingly, he submits that if the petitioner remits the amount in terms of the existing policy, at best, he could be required to pay a marginal interest from 29.11.2021 to date.

To this, learned counsel for the petitioner, on instructions, submits that petitioner is ready and willing to settle the dispute and therefore, he would move the necessary application to the competent authority (Estate Officer, Faridabad) within four weeks from today along with the requisite amount. However, it is urged that as a considerable time has already elapsed the respondents be directed to, in the event, any such application is moved, consider the same and pass necessary orders within a specified time.

In response, learned counsel for the respondents submits that all necessary formalities would be complied with and the competent authority would issue the completion/occupation certificate within a period of two weeks from the receipt of the application from the petitioner.

That being so, learned counsel for the petitioner submits that nothing substantive survives in this petition and the same be disposed of in terms of the statement made by learned counsel for the respondents.

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

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

05.02.2024
Manoj Bhutani

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