

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

CWP-4218-2024

Date of decision: 06.03.2024

Rahul Properties Pvt. Ltd.

....Petitioner

Versus

State of Haryana and another

....Respondents

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

Present: Mr. Viren Sibal, Advocate, and
Mr. Manish Kaushik, Advocate,
for the petitioner.

(Through Hybrid Mode)

ARUN PALLI, J. (Oral)

The petitioner has prayed for the following substantive relief:-

*“Writ Petition under Article 226 of the
Constitution of India for issuing an appropriate writ,
order or directions in the nature of Mandamus
thereby directing respondents to issue occupation
certificate dated 15.12.2015 (Annexure P-5), and no
dues certificate dated 05.01.2016 (Annexure P-5-A).*

*Further, remove the unlawful demand
of dues dated 01.01.2014 (Annexure P-14) being
shown against the property of the petition in the
website of the respondent against property bearing
No.669, Sector-16A, Faridabad, Haryana.”*

Learned counsel for the petitioner submits that pursuant to the sale deed dated 14.12.1989 (P-2), the petitioner had purchased a residential site No.669, Sector 16A, Faridabad, from M/s Arun Estate Private Limited. Whereafter, even the re-allotment letter dated 1.10.1999 (P-3) had been issued in its favour. It is urged, for a commercial activity was being carried out at site, it was resumed, vide order dated

23.05.2002. However, the Revisional Authority, vide order dated 15.12.2015 (P-5), set aside the resumption, since it was not the petitioner but its tenant that was running a Bajaj Two Wheelers showroom in the premises. But, as the site was restored subject to penalty of Rs.50,000/-, the petitioner deposited the requisite amount on 31.12.2015. Thereafter, it applied for issuance of the occupation certificate. He asserts that the order passed by the Revisional Authority (*ibid*), has been complied with in letter and spirit and no amount is outstanding against the petitioner. Thus, the limited grievance that the petitioner has is: even today, an amount of Rs.1,13,79,887/- is being shown as outstanding against the petitioner on the web portal of the respondent-Haryana Shehri Vikas Pradhikaran. Hence, this petition.

Served with the advance copy of the petition, Mr. Arvind Seth, Advocate, for the respondent-HSVP, is present in Court. At the outset, he submits that let this petition be disposed of, at this stage, to enable the respondent authorities to deal with the concerns/grievances of the petitioner, as sought to be raised in the petition. And pass necessary orders, in accordance with law. Further, he submits that before any such orders are passed, the petitioner, through its authorized representative, shall be heard, and the necessary intimation in this regard would be sent to the petitioner.

Learned counsel for the petitioner is in agreement with the course suggested by 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 matter being time sensitive, the authorities be directed to take a decision within a specified time.

In response, learned counsel for the respondent-HSVP submits that appropriate orders shall be passed within a period of three 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-HSVP.

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

06.03.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No