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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2024:PHHC:030562

CWP-5177-2024

Date of Decision:04.03.2024

Manjeet Kaur

..... Petitioner

Versus

The State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr.R.D. Gupta, Advocate and
Mr. Raghuvinder Singh, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

Prayer in the present petition is for issuance of direction to the respondents to take a final decision over the matter pertaining to the sale of landed property measuring 471.65 sq. yards approximately 15.59 marlas comprised in Khasra No.101//18/1, 23 situated in the revenue estate of village Cheeka, Tehsil Gulha, District Kaithal on account of the affirmative resolution dated 20.02.2014 (Annexure P-9) passed by respondent No.5-Municipal Committee, Cheeka, whereby it was decided that the property be sold to Amrik Singh (deceased husband of the petitioner) who was in occupying possession thereof since long by charging price thereof, which price amounting to Rs.23,40,000/- stands paid in its entirety as on date, yet the process of sale of above stated land is yet to begin, ultimately culminating in execution and registration of sale deed qua the same in the petitioner's favour which has not been done on the account of prolonged administrative inaction. Further prayer has been made to direct the respondent especially respondent No.2 to take final decision over Resolution dated 20.02.2014 (Annexure P-9) and grant necessary approval for the aforesaid property, thereby completing the sale process in her favour qua the above land which would be in line with the directions passed by this Hon'ble Court in LPA No.2090 of 2013 (Annexure P-7) since the petitioner has deposited entire amount of Rs.23,40,000/- as assessed and conveyed and

further to direct the respondent-authorities not to take any coercive executive action against the aforesaid property of the petitioner.

It has been, *inter alia*, contended by counsel for the petitioner that on the direction given by this Court on 17.12.2013 in LPA No.2090 of 2013 (Annexure P-7), the petitioner has filed a representation before respondent No.5 for redressal of her grievance. He submits that Municipal Committee, Cheeka has decided the representation of the petitioner in her favour, however, necessary permission for granting the approval was to be decided by respondent No.2, which is pending consideration before him since last seven years. He submits that the Deputy Commissioner has also written to respondent No.2 for finalizing the sanction, which is pending consideration, but the same has not been decided till date.

Notice of motion.

Ms. Upasana Dhawan, Assistant Advocate General, Haryana, accepts notice on behalf of the respondent-State. She has submitted that Deputy Commissioner has written to respondent No.2, but as the final decision is yet to be taken by respondent No.2, further necessary action could not be completed.

After hearing learned counsel for the parties and in view of the facts and circumstances of the case, the present petition is disposed of with direction to respondent No.2 i.e. Director, Directorate of Urban Local Bodies, Haryana to finalize the proceedings pending before him expeditiously preferably within two months from the date of receipt of copy of this order in accordance with law. The decision taken by respondent No.2 be communicated to the petitioner.

04.03.2024
sharmila

(RAJESH BHARDWAJ)
JUDGE
Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No