

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

CWP-8887-2024

Date of decision: 22.04.2024

Jasvinder Kaur

....Petitioner

Versus

Greater Mohali Area Development Authority and another

....Respondents

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

Present: Mr. Rajbir Singh, Advocate,
for the petitioner.

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 for issuance of a writ, order or direction in the nature of Mandamus directing the respondent No.2 to extend the validity of the facility certificate dated 24.07.2019 (P-3), as the petitioner could not get the benefit of the same due to the reason that respondent no.2 failed to disburse the complete payment of the acquired land and released the balance award amount on 01.11.2022, the petitioner also could not use this facility certificate due to the COVID-19 pandemic.

Further issuance of writ in the nature of Mandamus directing Respondent No.2 to decide the representation dated 11.10.2023 (P-6), which was duly received office of Respondent No.2 vide Diary No.5485, but till date neither the validity of the facility certificate extended nor decided the representation dated 11.10.2023.”

Learned counsel for the petitioner submits that prior to the institution of this petition, the petitioner had even served the Land Acquisition Collector, GMADA (respondent No.2) with a representation dated 11.10.2023 (P-6), but to no avail. It is urged that even though a considerable time has elapsed, but the matter has not made any tangible progress. Thus, interest/rights of the petitioner are severely impacted.

Served with the advance copy of the petition, Mr. Jastej Singh, learned Deputy Advocate General, Punjab, 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 the petition is disposed of, at this stage, to enable the respondent authorities to consider and pass necessary orders on her representation (*ibid*), in accordance with law. Further, he submits that before any such orders are passed, the petitioner shall be heard. And a formal communication, in this regard, shall be issued to her, well in advance.

Learned counsel for the petitioner is in agreement with the course suggested by learned State counsel 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 State counsel 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 a comprehensive order, citing reasons in

support thereof, shall be passed within the time indicated by learned State counsel.

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

22.04.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No