



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 13457 of 2024

Date of decision: 30.05.2024

Vikas Gupta

.... Petitioner

Vs.

Union Territory, Chandigarh and others

.... Respondents

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

Present: Mr. Harsh Aggarwal, Advocate
for the petitioner.
Mr. Pranav Chamoli, Advocate
for respondent No.3.

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 any appropriate Writ, Order or Direction particularly in the nature of Mandamus directing the respondents to permit the petitioner to execute the sale deed in favour of the proposed vendee or in the alternative to issue the No Objection Certificate.”

At the outset, learned counsel for the petitioner submits that prior to the institution of the petition, the petitioner had even served the respondent authorities with a legal notice dated 29.01.2024 (P-7). However, even though a considerable time has elapsed, the matter has not made any tangible progress. Thus, this petition.

Served with the advance copy of the petition, Mr. Sumit Jain, Advocate is present in Court on behalf of respondents No.1 and 2. At the outset, he, on instructions, submits, for the legal notice that has been submitted by the petitioner, is pending consideration before the competent authority, let the petition be disposed of, at this stage, to enable the respondent authority to deal with the concerns/grievances of the petitioner



that are 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 shall also be afforded an opportunity of hearing. And a formal communication in this regard will be issued to him, well in advance.

Learned counsel for the petitioner is agreeable to the course suggested by the learned counsel for the respondents No.1 and 2 and submits that let the petition be disposed of in terms of the statement made by him. However, he submits that the matter being time sensitive, the competent authority be directed to consider and finally decide the matter within a specified time.

To this, learned counsel for the respondents No.1 and 2 submits that the necessary orders in this regard shall be passed within four weeks from today.

In the wake of the position sketched out above, and in terms of the statements made by learned counsel for the parties, this petition is accordingly disposed of.

This Court is sanguine that the authority shall consider/examine the matter in the right earnest, and pass appropriate orders, within the time indicated by learned counsel for the respondents No.1 and 2, assigning reasons in support thereof.

Needless to assert that this order shall not constitute an expression of opinion on the merits of the case of either party, for, as indicated earlier, the competent authority shall examine the grievances of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

30.05.2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No