



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 14550 of 2024

Date of decision: 01.07.2024

Tashee Land Developers Private Limited and another

.... Petitioners

Vs.

District Collector and others

.... Respondents

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

Present: Mr. Vivek Suri, Advocate with
Mr. Dushyant Godara, Advocate
for the petitioners.

ARUN PALLI, J (Oral)

The petitioners have prayed for the following substantive relief:
“Civil Writ Petition under Article 226/227 of the Constitution of India for issuance of Writ of Mandamus directing the respondent no.1 to enter the mutation of the land surrendered by the petitioner in favour of the Government of Haryana as per the registered gift dated 07.03.2024 and for issuance of any other appropriate writ, order or direction restraining the respondent no.3 not to mix the issue of recovery with the land which stands gifted as per the condition of the license as the charge on the property which is owned by the petitioners stands created in favour of respondent no.2, who has bailed out the project from distress, and in case of Occupation Certificate is granted in favour of the petitioners then the home buyers who have initiated the litigation would be the beneficiary as the possession of the flats lying vacant would be handed over to them.”

Learned counsel for the petitioners, at the outset, submits that prior to the institution of this petition, the petitioners had even served the respondent authorities with several representations dated 01.04.2024 (P-8), 02.04.2024 (P-9) and 01.05.2024 (P-10), qua their concerns/grievances, but



Served with the advance copy of the petition, Mr. Ankur Mittal, Additional Advocate General, Haryana, is present in Court on behalf of the respondents No.1 and 3. At the outset, on instructions, he submits, for the competent authority is already in seisin of the matter, it would be expedient, if the petition is disposed of, at this stage, to enable the respondent authorities to consider the claim of the petitioners and pass necessary orders, in accordance with law. Further, he submits that before any such orders are passed, the petitioners, through their authorized representatives, shall also be afforded an opportunity of hearing. And a formal communication in this regard will be issued to them, well in advance.

Learned counsel for the petitioners is agreeable to the course suggested by the learned State counsel 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 State counsel submits that the necessary orders in this regard shall be passed within eight weeks from today.

In the wake of the position sketched out above, and in terms of the statement 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 State counsel, 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 petitioners, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

01.07.2024
deepak