



CWP-10201-2017 (O&M)

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

(104)

CWP-10201-2017 (O&M)

DATE OF DECISION:- 31.07.2024

SH. AJENDRA PARSHAD JAIN AND OTHERS ...PETITIONERS

VERSUS

**THE PRESIDENT KENDRIYA VIHAR APARTMENT OWNERS
WELFARE ASSOCIATION AND OTHERS ...RESPONDENTS**

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Govind Rana, Advocate, for
Mr. Harkesh Manuja, Advocate, for petitioner No.50.

Mr. Sunil Panwar, Advocate with
Mr. Dhruv Singh, Advocate, for respondent No.1.

Mr. Aman Bahri, Additional Advocate General, Haryana.

Mr. Gurmehar Gandhi, Advocate, for
Mr. R.C.Sharma, Advocate, for respondent No.3.

Mr. Vishal Garg, Advocate, for respondent No.6.

...

SUVIR SEHGAL, J. (Oral)

1. By way of present writ petition filed under Article 226/227 of the Constitution of India, petitioners have approached this Court *inter alia* for issuance of a writ in the nature of mandamus to the official respondents to direct official respondent No.1, to refund the amount charged as transfer fee @ 1.5% of the actual cost of flat in compliance of Circular dated 09.05.2008, Annexure P-22, issued by respondent No.7, and to direct the official



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respondents to proceed against respondent No.1, under Section 74 of the Haryana Registration & Regulation of Societies Act, 2012, for having failed to comply with the directions issued by respondents No.7 and 8, vide order dated 03.02.2017, Annexure P-20.

2. On 19.09.2022, this Court passed the following order:-

“Learned counsel for respondent No.1 would submit that out of 72 writ petitioners, the instant writ petition survives only qua petitioner No.50 as the other petitioners have withdrawn the matter. Learned counsel for the petitioners seeks time to get necessary instructions/clarification in this regard. Adjourned to 31.01.2023.”

3. Counsel for petitioner No.50, has placed on record a copy of the communication dated 10.02.2024, received from respondent No.1, to submit that transfer of membership and ownership in the name of petitioner No.50, has been approved by the Executive Committee of respondent No.1. He submits that the petition has become infructuous.

4. Dismissed as having been rendered infructuous.

5. Pending application is disposed of.

(SUVIR SEHGAL)
JUDGE

31.07.2024
Pardeep

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No