

**CWP-20538-2024**

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CWP-20538-2024****Date of decision: 27.08.2024**

Sonia Singla

....Petitioner

Versus

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**Present: Mr. Nonish Kumar, Advocate,
for the petitioner.

ARUN PALLI, J. (Oral)

A Mandamus is prayed for, commanding the respondents to issue a 'No Due Certificate' (NDC) as regards plot/site No. 105-GP, measuring 472.5 square meters, situated in Mandi Township Guhla, Urban Estate Kaithal, in favour of the petitioner. For, she had remitted the entire sale consideration, along with all necessary charges, much prior to the execution of the conveyance deed.

Learned counsel for the petitioner submits that the subject site was originally allotted to one Rekha Devi. Thereafter, vide a re-allotment letter dated 09.09.2011, it was re-allotted to Narender Kumar. Further, he submits that eventually, the site in question was purchased by the petitioner, after obtaining necessary approvals/sanctions from the competent authority. And, accordingly, a re-allotment letter dated 26.05.2016 (P-2), was also issued in her favour. He asserts that the petitioner had not only remitted the entire sale consideration, but also paid Rs.25,590/- on 21.01.2020 (P-4). Whereupon, even the conveyance

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deed dated 23.01.2020 (P-5), was executed in her name. It is submitted that though the petitioner had applied for the NDC long back, but the same has not been issued to date. Rather, she was informed that an amount of Rs.5,35,763/- was still outstanding against her, as reflected on the PPM Portal. And since the said amount was not deposited, the authorities could not issue the NDC. Whereas, he submits that, in fact, no such amount is pending against the petitioner, as she had already deposited the sale consideration, as also the necessary charges, much prior to the execution of the conveyance deed. It is urged that prior to the institution of this petition, the petitioner had even served the respondent authorities with a representation dated 15.02.2024 (P-7), but that too, has failed to evoke any response. Therefore, interest/rights of the petitioner are severely impacted.

Served with the advance copy of the petition, Mr. Deepak Sabherwal, Advocate, for the respondent-HSVP, is present in Court. At the outset, he, on instructions, submits, for 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, for which, a formal communication shall be issued, well in advance.

Learned counsel for the petitioner is in agreement with the course suggested by learned counsel for the respondent-HSVP and submits that let this petition be disposed of, in terms of the statement



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made by him. However, it is urged that the authorities be directed to do the needful, within a specified time.

In response, learned counsel for the respondent-HSVP submits that appropriate orders shall be passed within a period of four 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 the appropriate orders shall be passed within the time indicated by learned counsel for the respondent-Board.

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

27.08.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No