



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

CWP-21788-2024
Date of Decision: 03.09.2024

PREM LATA

....Petitioner

Versus

STATE OF HARYANA AND OTHERS

....Respondents

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

Present: Mr. Paras Choudhary, Advocate
for the petitioner.

Mr. Ankur Mittal, Addl. A.G., Haryana with
Mr. Karan Jindal, AAG, Haryana
for respondent No.1.

Mr. Ankur Mittal, Advocate with
Ms. Kushaldeep Kaur, Advocate and
Ms. Saanvi Singla, Advocate
for respondents No.2 and 3.

VIKRAM AGGARWAL, J.

1. The petitioner assails the demand notice dated 22.02.2023 (Annexure P-15) vide which a demand of Rs.1,40,000/- has been raised on account of extension fee for delay in construction.

2. The petitioner claims to be an old license holder running business from the New Grant Market, Narnaul. He is the proprietor of a sole proprietorship firm by the name of M/s Kali Charan Gaurav Kumar engaged in the business of food grains. It is the case of the petitioner that on account of being an old licensee, the petitioner participated in the draw of lots held on 09.07.2015 for allotment of plots in the new grain market pursuant to which plot No.252 measuring 20'x50' was allotted vide allotment letter dated 01.01.2016 (Annexure P-4) for a total sale consideration of Rs.42,00,000/-. It is the case of the petitioner that physical possession of the plot was not handed over despite repeated requests and even the



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request made by the petitioner for raising construction was turned down on the ground that till the time the entire payment is made, no such permission could be granted. The petitioner claims that without handing over the possession, the respondents are charging extension money. It has also been stated that a sum of Rs.53,20,240/- was deposited by the petitioner in terms of the scheme "*Vivado Ka Samadhan*" and even thereafter, the possession was not granted. He was finally handed over possession in December 2021 whereafter the petitioner started and completed the construction within three months. Completion certificate was issued on 30.03.2022 and occupation certificate (Annexure P-14) was issued on 01.07.2022. When the petitioner approached the respondents for execution of conveyance deed, a sum of Rs.1,40,000/- was demanded on account of extension money.

3. The aforesaid demand was challenged by way of **CWP-13067-2023** which was, however, withdrawn on 06.07.2023 (Annexure P-16) with liberty to approach the competent authority. Pursuant to the same, representation dated 10.07.2023 (Annexure P-17) was submitted. Eventually the claim of the petitioner was rejected vide order dated 19.08.2023 (Annexure P-19) and vide communication dated 15.07.2024 (Annexure P-20), the petitioner has been called upon to deposit the balance payment failing which the plot would be resumed. He has also been called upon to take the benefit of the "*Vivado Ka Samadhan*" scheme and clear the pending dues by 30.09.2024.

4. On advance copy having been served, Mr. Ankur Mittal has caused appearance for the respondents.

5. After addressing arguments at some length, learned counsel for the parties have reached a consensus. It has been submitted by learned counsel for the respondents that the petitioner may appear before the competent authority i.e. the



Chief Administrator, Haryana State Agricultural Marketing Board (respondent No.2) within a period of three days from today. Upon her appearing before the said authority, the petitioner shall duly be heard and a speaking order addressing the concerns and grievances of the petitioner shall, thereafter, be passed within a period of two weeks and till then, no coercive action shall be initiated against the petitioner.

6. Learned counsel representing the petitioner is agreeable to the course suggested and submits that the writ petition be disposed of in terms of the aforesaid statement. Ordered accordingly. This Court is sanguine that the competent authority shall pass a well reasoned and speaking order in accordance with law after hearing the parties. However, nothing observed hereinbefore shall be construed to be an opinion upon the merits of the case.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

03.09.2024
Prince Chawla

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