



CWP-22086-2024

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

CWP-22086-2024**Date of decision: 04.09.2024**

Chanderpal Sharma

....Petitioner

Versus

Haryana Urban Development Authority and others

....Respondents

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

Present: Mr. Gaurav Arora, Advocate,
for the petitioner.

ARUN PALLI, J. (Oral)

A Mandamus is prayed for, commanding the respondent authorities to transfer shop No.69, HSVP Market, Sector 8, Faridabad, in the name of the petitioner.

Learned counsel for the petitioner submits that originally, the subject shop was allotted to one P.D. Sharma (respondent No.4), vide letter of allotment dated 14.02.1992 (P-1). And, accordingly, he was offered possession, vide communication dated 01.08.1994 (P-3). He submits that respondent No.4 had executed a General Power of Attorney dated 22.06.1994 (P-2), in favour of Prem Pal (respondent No.5), to manage the affairs of the subject shop. And, respondent No.5, vide sale deed dated 10.03.2014 (P-4), sold the said shop to the petitioner. It is urged that vide letter/representation dated 12.04.2024 (P-6), the petitioner required the respondent authorities to transfer the shop in his name, but the same has not been responded to. Whereafter, he even served the



authorities vide a legal notice dated 14.06.2024 (P-8). But that too, has failed to evoke any response. Thus, this petition.

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 that per the policy and procedure in vogue, the original allottee, before selling the subject property, was first required to obtain permissions/approvals from the competent authority. Which, concededly, was not obtained. Be that as it may, he submits, for the legal notice (*ibid*), the authorities are alleged to have been served with, is pending, let the petition be disposed of, at this stage, to enable the respondent authorities to deal therewith and pass necessary orders, in accordance with law.

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 made by him. However, it is urged, for a considerable time has already elapsed, 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.

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



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-HSVP.

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

04.09.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No