



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

**CWP No.24699 of 2024 (O&M)
Date of Decision :02.12.2024**

Daljit Singh Parmar

.....Petitioner

Versus

The Estate Office, Town Hall Building, Chandigarh and others

..... Respondents

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

Present : Capt. Arun Sharma, Advocate for the petitioner.

**Mr. Aman Pal, Advocate for respondent No.1.
(Through hybrid mode).**

ARUN PALLI, J. (Oral):

The petitioner (Daljit Singh Parmar) has prayed for the following substantive relief:-

“Civil Writ Petition under Articles 226/227 of the Constitution of India with a prayer that this Hon’ble Court may be pleased to issue an appropriate writ order of direction including a writ in the nature of Mandamus directing the respondent no.1 to refund the excess/wrongly amount charged along with interest while allowing the letter of administration before the Ld. Trial Court as per the report and as per the Rules and Regulations applicable. The collector rate was applicable at that time was not taken into consideration as per rules and regulations, moreover transfer of property in favour of the petitioner was undertaken on the letter of administration through Court and the transfer his share as per Will was from mother to petitioner (son) except to incidental charges no other



charges were paid.

It is further prayed that this Hon'ble Court may be pleased to issue directions to the respondent no.2 to 4 to not to interfere in peaceful possession of the property (i.e. 1st floor of # 2259, Sector 21-C, Chandigarh) of floor of # 2259, Sector 21-C Chandigarh) of the petitioner on which respondent no.2 & 3 filed a civil suit no. 2347 of 2021 without any right and petitioner filed an application under Order 2 Rule 2 CPC moved before the Ld. Trial Court which is yet to be adjudicated but respondent no.3 is in alleged possession of the Ground Floor and Annexe Portion on the 1st floor of # 2259, Sector 21-C, Chandigarh and misusing the Court process."

Learned counsel for the petitioner submits that the petitioner, prior to the institution of this petition, had served the respondent-Administration with the legal notice dated 14.09.2023 (P5), followed by a reminder dated 29.01.2024 (P6), as regards his concerns/grievances, but to no avail.

Served with the advance copy of the petition, Mr. Aman Pal, Advocate, is present in Court for respondent No.1. At the outset, he as always, fairly submits, for the competent authority is alleged to have been served with a legal notice (ibid) and the matter is pending consideration, it would be expedient, if the petition is disposed of, at this stage, to enable the respondent to deal therewith. And, pass necessary orders on the legal notice and reminder, submitted by the petitioner, in accordance with law. He further submits that before any such orders are passed, the petitioner shall also be afforded an opportunity of hearing for which a formal communication shall be issued, well in advance.



Learned counsel for the petitioner is agreeable to the course suggested by learned counsel for respondent No.1 and submits that let this petition be disposed of in terms of the statement made by him. However, it is urged that the competent authority be directed to decide the matter within a specified time.

In response, learned counsel for respondent No.1 submits that appropriate orders shall be passed within a period of three months 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 competent authority shall look into the matter in the right earnest. And, appropriate orders, in accordance with law, shall be passed within the time indicated by the learned counsel for respondent No.1.

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 claim/grievance of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

02.12.2024
Manoj Bhutani

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No