

CWP-23885-2024

-1-

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

CWP-23885-2024**Date of decision: 19.09.2024**

Sheela Vanti and others

....Petitioners

Versus

State of Haryana and others

....Respondents

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

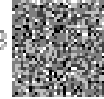
Present: Mr. Saurabh Bajaj, Advocate,
for the petitioners.

ARUN PALLI, J. (Oral)

The petitioners are homebuyers in an affordable housing project situated in Sector-32, Karnal, Haryana, namely 'Aegis Value Smart Homes.'

A Mandamus is prayed for, commanding the official respondents to initiate action against respondent No.3 and respondent No.4 (Mr. Divey Dhamija, Director, M/s Aegis Value Homes Limited), as also to take control of the Housing Project.

Learned counsel for the petitioners submits that per the Builder-Buyer Agreement dated 08.06.2022 (P-3), possession of the apartments was to be delivered within four years, but apparently, no construction was raised from 2017-2019, despite six months' extension granted to the builder. In fact, the construction at site is incomplete to date. Further, he submits that in the given circumstances, with no solution as regards execution of the project and delivery of actual



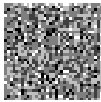
CWP-23885-2024

-2-

physical possession in sight, the petitioners are choice-less, but to ask for refund with interest.

Served with the advance copy of the petition, Mr. Ankur Mittal, learned Additional Advocate General, Haryana, is present in Court. At the outset, he, on instructions from Ms. Divya Dogra, District Town Planner, who is present in person, submits that concerns/grievances of the petitioners are being examined and every possible endeavour would be made to redress them, at the earliest. Accordingly, it is submitted that in such circumstances, it would rather be expedient if the petition is disposed of, at this stage, to enable the respondent authorities to reach a conclusive decision and pass appropriate orders, in accordance with law. Further, he submits that before any such orders are passed, the petitioners or their authorized representative(s), as also the other stakeholders, including the private respondents, shall be heard, for which, they may appear before the Chief Town Planner, Haryana, in the office of Director, Town and Country Planning, Sector-17, Chandigarh, on 24.09.2024 at 11:00 A.M. And, a separate communication, in this regard, shall also be issued to the private respondents/other stakeholders, well in advance. And accordingly, the necessary orders, as indicated above, shall be passed within two weeks thereafter.

Learned counsel for the petitioners is agreeable to the course suggested by learned State counsel, and submits that let this petition be disposed of, in terms of the statement made by him. However, he submits that in the event, the authorities fail to resolve the dispute within the time



CWP-23885-2024 -3-

indicated by the learned State counsel, petitioners shall approach the Haryana Real Estate Regulatory Authority, as also avail such other remedies, as admissible in law.

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, assigning reasons in support thereof, shall be passed within the time indicated by the learned State counsel.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

19.09.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No