



CWP-29473-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-29473-2024Date of decision: 29.10.2024

Ashish Gupta

....Petitioner

Versus

Haryana Shahari Vikas Pradhikaran (HSVP) and another

....Respondents

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

Present: Mr. Abhinav Kalia, Advocate,
for the petitioner.

(Through Hybrid Mode)

ARUN PALLI, J. (Oral)

The petitioner 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 a writ in the nature of mandamus
directing the respondent no.1 to register the Sale
Certificate dated 24.06.2024 (Annex. P-1) issued by the
respondent No.2 bank in the capacity of Secured Creditor*

And/Or

*Further issuance of a writ in the nature of certiorari
quashing the rejection noting dated 10.10.2024 (Anne.P-3)
issued by respondent No.1 whereby the application for
registration of the sale certificate has been rejected on the
pretext that one Civil Suit No.775/2024 titled as Ranjdeep*



Singh Chauhan Vs PNB is pending in the Court of Sh. Amit Sharma, Ld CJ (SD) Ambala.”

Served with the advance copy of the petition, Mr. Deepak Sabherwal, Advocate, for respondent No.1, and Mr. Gaurav Goel, Advocate, for respondent No.2, are present in Court.

At the outset, learned counsel for respondent No.1-HSVP, on instructions, submits that apparently, the impugned communication/application noting dated 10.10.2024 (P-3), issued by the Estate Officer, Ambala, is erroneous and indefensible. Thus, in the given circumstances, the same be deemed to have been recalled/withdrawn. However, he submits, for the competent authority to take cognizance of the concerns/grievances of the petitioner, is the Administrator, HSVP, Panchkula, he shall have to move a formal application/representation to it. He, as always, fairly submits that in the event, any such application is moved within two weeks from today, the same shall be taken cognizance of by the Authority. And, necessary orders, in accordance with law, shall be passed, as expeditiously as possible, after affording a hearing to the petitioner.

Learned counsel for the petitioner is in agreement with the course suggested by learned counsel for the respondent-HSVP, and submits that the petitioner, as indicated above, shall move the Authority, by way of an application/representation, within two weeks from today. Accordingly, it is urged that let the petition be disposed of, in terms of the statement made by him.



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, at the earliest, as undertaken 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 earlier, the competent authority shall examine the concerns/grievances of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

29.10.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No