



CWP-30742-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-30742-2024Date of decision: 27.11.2024

Tamanna Babbar

....Petitioner

Versus

State of Haryana and others

....Respondents

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

Present: Mr. Nishant Maini, Advocate,
for the petitioner.

ARUN PALLI, J. (Oral)

The petitioner (Tamanna Babbar) has prayed for the
following substantive relief:-

*“Civil Writ Petition under Article 226/227 of
the Constitution of India for issuance of a writ in the
nature of MANDAMUS, directing the respondents to
hand over the physical possession of the plot
No.NH2 (Nursing Home site) in sector 45, Urban
Estate Gurugram II, after completion of
development works, including road, water supply,
Sewerage & Storm Water, which have not been
done, as is evident from information supplied under
RTI Act vide letter dated 16.08.2024 (P-10)*

AND/OR

*It is further prayed for directing the
respondents to pay interest to the petitioner at the
rate of 5.5.% p.a. or more, on the entire amount
deposited by the petitioner towards the cost of the
plot, as the physical possession after development of
work has not been delivered to the petitioner till date,*



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in view of condition No.4 of Allotment letter dated 17.05.2024 (P-3), in the interest of justice.

AND/OR

It is further prayed, for directing the respondents to consider and decide upon the representations dated 16.07.2024 (P-6), 06.11.2024 (P-11) and reminder dated 29.07.2024 (P-9) within a specified timeframe, in accordance with law, and as expeditiously as possible, give that the petitioners' claim remains unaddressed till date."

Learned counsel for the petitioner submits that prior to the institution of this petition, the petitioner had even served the Chief Administrator, Haryana Shaheri Vikas Pradhikaran (respondent No.2), with representations dated 16.07.2024 (P-6) and 06.11.2024 (P-11), as regards her concerns/grievances. However, he submits that even though, a considerable time has elapsed, but the matter has not made any tangible progress. Thus, this petition.

Served with the advance copy of the petition, Mr. Ankur Mittal, Advocate, along with Ms. Saanvi Singla, Advocate, for the respondent-HSVP, is present in Court. At the outset, he submits, for the competent authority is alleged to be in seisin of the concerns/grievances of the petitioner, it would rather be expedient if the petition is disposed of, at this stage, to enable the authorities to consider and pass necessary orders on the representations (*ibid*), in accordance with law. Further, he submits that before any such orders are passed, the petitioner shall be heard, for which, a formal communication shall be issued to her, well in advance.

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 that the authorities be directed to decide the matter 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 earlier, the competent authority shall examine the concerns/grievances of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

27.11.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No