

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 775 of 2024
Date of decision: 15.01.2024

Swaran Singh Chawla
Vs.
State of Haryana and others

.... Petitioner
.... Respondents

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

Present: Mr. Harish Mehla, Advocate and
Mr. Arun Sharma, Advocate, for the petitioner.
Mr. Ankur Mittal, Addl. A.G. Haryana with
Mr. Karan Jindal, AAG, Haryana for respondents No.1 & 2.
Mr. Ankur Mittal, Advocate with
Ms. Kushaldeep Kaur, Advocate for respondent No.4.

ARUN PALLI, J (Oral)

The petitioner herein has prayed for the following substantive relief:

“Civil Writ Petition under Article 226 of the Constitution of India for issuance of writ

- i To issue a writ in the nature of mandamus, directing the district revenue officer Gurugram to undertake steps for recovery as contemplated under Section 67 of land revenue act.***
- ii. To issue a writ in the nature of mandamus, directing the district revenue officer Gurugram to ensure the enforcement direction given by the adjudicating officer by recovery certificate dated 05.01.2023 bearing RC no.217/2023 award dated 15.03.2022 in a time bound manner.***
- iii. To issue a writ in the nature of mandamus, to the respondent state government to comply with the directions of this Hon’ble court in case of M/s International Developers (supra)”***

Served with an advance copy of the petition, Mr. Ankur Mittal,

Addl. Advocate General, Haryana, is present in Court on behalf of

respondents No.1, 2 & 4. At the outset, he submits that pursuant to the award rendered by the Haryana Real Estate Regulatory Authority, Gurugram, dated 15.03.2022, as also the recovery certificate issued by the Adjudicating Officer, under Section 14 of the Act, the property of the judgment debtor has since been attached by the District Revenue Officer, Gurugram (DRO) and the matter has been forwarded to the Sub Divisional Officer to conduct auction. He submits that there is every likelihood that the decree passed by the authorities shall be executed at the earliest.

That being so, learned counsel for the petitioner submits that nothing substantive survives in this petition and the same be disposed of in terms of the statement made by learned counsel for the respondents.

Accordingly, the petition is disposed of in terms of the statement made by learned counsel for the parties.

However, in case the authorities are unable to execute the decree and realize the decretal amount within a period of one month from today, the petitioner shall be at liberty to move a miscellaneous application in this petition itself for its restoration and necessary orders.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

15.01.2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No