



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

Date of Decision: 14.05.2025

1. CWP-3028-2025

Amit Jain

. . . . Petitioner

Vs.

Haryana Shehri Vikas Pradhikaran (HSVP) and Another

. . . . Respondents

2. CWP-3032-2025

Ajay Jain

. . . . Petitioner

Vs.

Haryana Shehri Vikas Pradhikaran (HSVP) and Another

. . . . Respondents

**CORAM: HON'BLE MR JUSTICE SUDHIR SINGH
HON'BLE MR JUSTICE ALOK JAIN**

Present: - Mr. Kushagra Beniwal, Advocate
for the petitioners.

SUDHIR SINGH, J.

This order shall dispose of the above noted two writ petitions, raising identical questions of law and facts. However, for the facility of preference the facts are taken from CWP-3028-2025.

2. The petitioner has sought issuance of a writ in the nature of Mandamus directing the respondent-authorities to grant him possession of the residential plot allotted to him vide allotment letter dated 22.07.2019. A

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further writ of Mandamus has been sought directing the respondent-authorities to decide his representation dated 30.12.2024 (Annexure P-3).

3. Learned counsel appearing for the petitioner argues that the agricultural land of the petitioner was acquired by the respondent-authorities vide notification dated 07.02.2006. The petitioner was issued an allotment letter dated 22.07.2019 whereby plot No.12 measuring 450 sq. mtr. at Badkhalsa was allotted to him. It is further argued that the petitioner had made efforts to deposit the requisite amount through the website of HUDA, but due to technical glitch/non-functioning of the online portal, the payment could not be deposited. The same was brought to the notice of the respondent-authorities and even a representation dated 15.08.2019 was also submitted by the petitioner to respondent No.2. It is further argued that nothing was done by the respondent-authorities on the aforesaid representation and even the repeated visits made by the petitioner to the offices of the respondent-authorities did not yield any result. It is further argued that the petitioner had also submitted a representation dated 30.12.2024 (Annexure P-3), but no action has been taken by the respondent-authorities thereon till date.

4. We have heard learned counsel for the petitioner. However, we do not find any merit in the present writ petition.

5. Indisputably, the petitioner was allotted the plot in question vide allotment letter dated 22.07.2019. As per Clause 4 of the said allotment letter, the petitioner was to deposit an amount of Rs.21,15,625/- at the authorized bank and duly credited to HUDA account within a period of 30 days i.e., on or before 20.08.2019 i.e. the date of issue of the allotment letter. The said clause reads as under;

“You shall deposit amount of 2,115,625.00 at the authorized bank and duly credited to HUDA account within a period of 30 days i.e. on or before dt. 20.08.2019 from the date of issue of allotment letter which together with an amount of 50,000.00 paid by you along with your application form as earnest money, will constitute 25% of the total tentative price. Further, the balance amount i.e. 6,496,875.00 of the tentative price of the plot/building shall be paid in lump-sum without interest within 60 days i.e. on or before dt.19.09.2029 from the date of issue of the allotment letter, failing which this allotment shall stand cancelled without any notice and earnest money deposited by you, shall stand forfeited and you have no claim for the damages.”

6. The contention of the learned counsel for the petitioner that the petitioner had tried to deposit the amount through HUDA portal does not come to his rescue particularly when, no document has been annexed with the writ petition to substantiate the said submission. Still further, as per the aforesaid clause of the allotment letter, the petitioner was to deposit the requisite amount as detailed in the said clause at the authorized bank within a period of 30 days but, the petitioner chose not to do so.

7. Still further, the case of the petitioner is that he had made efforts to approach the respondent-authorities in respect of the grievances raised in the instant writ petition yet, we find that from the date of allotment till the filing of the present petition, more than six years have elapsed. It is beyond common logic as to what prevented the petitioner from approaching this Court by way of a writ petition, when it is the pleaded case of the petitioner himself that he had made a representation in the year 2019 itself. We find that the pleas taken in the present writ petition are nothing but an afterthought.

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Once, the petitioner has failed to comply with the terms of the allotment letter in respect of the deposit of the requisite amount within the period of 30 days of the allotment letter, he cannot be heard saying that the action on the part of respondent-authorities in not allotting him the plot pursuant to the allotment letter dated 22.07.2019, is legally untenable.

8. In view of the above, we find no merit in both the writ petitions. Consequently, the same are hereby dismissed.

9. Pending application(s), if any, shall also stand disposed of.

(SUDHIR SINGH)
JUDGE

(ALOK JAIN)
JUDGE

14.05.2025

poonam

Whether speaking/reasoned?

Whether reportable?

Yes/no

Yes/no