



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(101)

COCF No. 2870 of 2021
Date of Decision: 15.12.2025

Meera Devi

...Petitioner

VS

Preetpal Singh

...Respondent

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Hemant Bassi, Sr. Advocate
with Ms. Saloni Chhabra, Advocate
for the petitioner.

Mr. Arvind Seth, Advocate
for the respondent.

VIKRAM AGGARWAL, J (ORAL)

1. CWP no. 17563 of 2021 was disposed of by a Division Bench
of this Court vide order dated 08.09.2021:-

“This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

As per pleadings on record, Plot No. 70, Sector 5, Hissar admeasuring 14 Marlas was re-allotted in favour of the petitioner on 4.12.2017.

Short grievance raised in the instant petition is that a representation/request made by the petitioner for correction and rectification in respect of payments deposited pertaining to the plot in question in the payment account statement/PPM account is not being addressed.

Counsel submits that he would be satisfied if a direction were to be issued to the competent authority under the Haryana Shehari Vikas Pradhikaran to examine a detailed representation dated 2.6.2021 at Annexure P-12.

Since an advance copy of the petition already stood served upon the respondents, Mr. Sandeep Moudgil, learned counsel has joined proceedings on behalf of respondent Nos. 1 to 4.

Learned counsel for the respondents makes a statement that the Estate Officer, Haryana Shehari Vikas Pradhikaran, Hisar would go into the matter against the backdrop of the representation dated 2.6.2021 (Annexure P-12) and would thereafter pass a reasoned order thereupon and would convey the same to the petitioner within a period of six weeks from today.

Statement is accepted.

It would be appreciated, if prior to passing of the final order, an opportunity of personal hearing is granted to the petitioner.

No further directions are required to be passed.

Petition disposed of.

It is clarified that we have not examined the issue on merits.”

2. Since the directions had not been complied with, the instant contempt petition was instituted alleging willful disobedience of the directions passed by the Division Bench.

3. Notice of motion was issued on 5.01.2022. On 20.07.2023, learned counsel representing the respondent prayed for time to file compliance affidavit.

4. On 05.09.2024, a Coordinate Bench passed the following order:-

“Learned counsel for the respondent informs that a detailed comprehensive assessment of the cost, relating to the allotment made in favour of petitioner and also those pleaded in the representation shall be made and an order in this regard shall be produced on the next date of hearing.

List on 27.09.2024.

It is made clear that in case the needful is not done, the officer concerned shall remain present in Court on the date fixed and would be liable to pay litigation costs to the petitioner(s) to the tune of Rs. 50,000/- from his / her own pocket.”

5. Finally, reply was filed in September 2024 as per which speaking order dated 26.09.2024 (Annexure R-2) was passed prior to which order dated 12.04.2024 (Annexure R-1) had also been passed.

6. On the last date of hearing i.e., 27.10.2025, this Court passed the following order:-

“CWP-17563-2021 was disposed of vide order dated 08.09.2021, where a direction was issued to the respondents to pass a reasoned speaking order on representation dated 02.06.2021 within a period of six weeks. Since the needful was not done, the instant contempt petition was filed.

Despite the pendency of the contempt petition, no action was taken by the respondent and eventually order dated 12.04.2024 was passed.

Subsequently, another order dated 26.09.2024 was passed. However, the fact remains that for a period of three years, practically no action was taken by the respondent except for purported issuance of two notices to the petitioner to appear in person which also cannot, in certain terms, be stated to have been issued to the petitioner, for, the notice dated 12.10.2021 (Annexure P-2) calling upon the petitioner to appear on 19.10.2021 was posted on 20.10.2021, which is evident from Annexure P-3.

In view of the above, the respondent is directed to file a specific affidavit as regards the inordinate delay caused in complying with the order passed by the Division Bench.

Adjourned to 15.12.2025.

To be taken up in the urgents.”

7. Today, affidavit of Ms. Aanchal Bhaskar, Estate Officer, Haryana Shahri Vikas Pradhikaran, Hisar, has been filed in Court which is taken on record. The contents of the affidavit are required to be noticed.

Paragraphs 6 to 12 of the affidavit state as under:-

“6 That after receipt of order dated 08.09.2021 the record was perused and manual calculation was prepared, it was found that after deposit of Rs. 10,37,713/-, Rs. 1,27,003.70/- was rest to be paid by the petitioner. As the LFSS 2021 was already closed and no amendment the calculation of the PPM system could be made by the Estate Officer, hence, the matter was forwarded to the higher authorities for taking decision in the matter as it was not clear as to how Rs. 13,66,719/- was being shown against the plot after implementation of LFSS 2021.

7. That in compliance of the above said order dated 08.09.2021, the case of the petitioner was referred to the Chief Controller of Finance, Panchkula, for decision vide letter No. 157882 dated 09.09.2021. After which, again reminders were sent in this regard through letter no. 163273-74 dated 17.09.2021 and letter no. 171892-93 dated 04.10.2021.

8. That vide letter memo no. 175842 dated 12.10.2021, notice for personal hearing was issued to the petitioner to appear in this office on 19.10.2021 but the notice could not be dispatched before the date of hearing due to the notice was tagged with some other file. Therefore, again a notice vide letter memo No. 189096 dated 03.11.2021 was issued to the petitioner to appear in this office on 09.11.2021 for a personal hearing. On 09.11.2021 the petitioner appeared in the office answering respondent and submitted the documents related to this case. She also requested for action on her application dated 02.06.2021.

9. That as per record the case was referred to the Administrator's Office, Hisar for appropriate action vide letter

No. 36392 dated 07.03.2022 which was further referred to Chief Controller of Finance, Panchkula, on 29.03.2022. Vide letter memo No. 90460 dated 01.06.2022 the Administrator Office Hisar was requested to take a decision on waiving the remaining amount in this plot, excluding the principal amount of Rs. 127004.00. The Administrator Hisar vide letter number 107557 dated 30.06.2022 directed to provide a copy of the speaking orders passed by the Estate Office Hisar and to state the total outstanding amount with details. The information was provided to the on 18.07.2022. Again on 05.08.2022 letter was written to Administrator Office Hisar for taking decision in the matter. The Administrator Office Hisar vide letter dated 23.08.2022 directed to send the copy of speaking order. As the account was not corrected in PPM system the speaking order was not passed by the then Estate Officer. As per record letters dated 18.10.2022, 21.11.2022, 03.03.2023 and 22.03.2023 were written to the Administrator, HSVP, Hisar for taking decision on waiving the remaining amount in this plot, excluding the principal amount of Rs. 1,27,004.00/-.

10. That on the other hand as per record of the Administrator HSVP Hisar letter memo no. 154597 dated 06.09.2022, memo no. 188039 dated 09.11.2022, memo no. 209693 dated 14.12.2022 were issued directing Estate Office HSVP, Hisar to send the calculation pertaining to the plot in dispute. As per record the above letter memo no. 154597 dated 06.09.2022, memo no. 188039 dated 09.11.2022, memo no. 209693 dated 14.12.2022 are not available in the office file. The delay in the matter was caused due to the misplaced above said letters. After this, the Administrator, Office Hisar wrote to Estate Officer HSVP Hisar on 07.03.2023 to provide the calculation sheet of this plot, which was sent on 29.03.2023. Thereafter, again on 22.06.2023 and 03.07.2023, letters were sent to the Administrator Office Hisar to take a decision on waiving the amount in this plot. After this, on

09.08.2023, the Administrator Office Hisar wrote to this office to take a decision at its own level in this case. After this, through this office's letter number 186988 dated 31.08.2023 and 244770 dated 14.11.2023, a letter was written to the Chief Controller Finance, Panchkula, regarding taking a decision on the waiver.

11. That it is submitted that after the directions received from Administrator on 09.08.2023 and from the Chief Controller of Finance, Panchkula on 29.11.2023, the Estate Officer decided to waive off the remaining amount in this plot, excluding the principal amount of Rs. 127004.00 and waiver has been updated on 19.12.2023 in ppm system after calculating the amount as per Last and Final Settlement Scheme.

12. That the delay in passing the speaking order was not intentional and was caused due to the uncertainty over the authority competent to accept waiver of the amount wrongly shown. As soon as the directions were received from the higher authorities the then Estate Officer HSVP Hisar passed the speaking order.”

8. The sequence of events shows the manner in which the matter has been dealt with by the respondent. It is, therefore, clear that the matter was dealt with by the respondent with extreme casualness and without any responsibility. For once, this Court was set thinking on the lines of framing charges against the respondent. However, since the speaking order stands passed, it would be appropriate that the respondent is burdened with costs for the inordinate delay in passing the speaking order.

9. Since the speaking order stands passed, no further orders are required to be passed in so far as the merits of the matter are concerned. However, for the extreme casualness with which the matter was dealt with by the respondent, costs of Rs.1,00,000/- are imposed upon the respondent.

The department would be free to recover the same from the officer concerned, who is found to be responsible for the delay in dealing with the matter.

The contempt petition is accordingly disposed of. Rule stands discharged.

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

(VIKRAM AGGARWAL)
JUDGE

December 15, 2025
Rekha

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