



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

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**CWP-28511-2025 (O&M)**

**Date of decision :23.09.2025**

**M/s Preet Land Promoters and Developers Private Limited ... Petitioner**

**Versus**

**Chairman, GMADA-cum-Chief Secretary and others ...Respondents**

**CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL  
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr. Ashok Paul Batra, Advocate for the petitioner.

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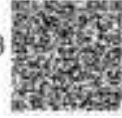
**Anupinder Singh Grewal, J. (Oral)**

The petitioner is seeking a direction to the respondent No.1 to consider its case for de-hypothecation of the properties.

2. Learned counsel for the petitioner submits that the petitioner is the promoter of the housing project and had hypothecated various properties with the respondents. He submits that as the properties which were hypothecated by the petitioner are in excess of the amount, which would be required to secure the rights of the respondents. He had sought de-hypothecation of the property in view of the notification dated 09.03.2024 (Annexure P-7) issued by the State of Punjab. He further submits that his case for de-hypothecation had been recommended by the lower level officials of the GMADA but the file is pending consideration before the Chief Administrator, GMADA.

3. Issue notice to the respondents.

4. Mr. Aftab Singh Khara, Senior DAG, Punjab accepts notice on behalf of the respondents No.1 and 2.



5. Mr. H.P.S. Sandhu, Advocate for Ms. Avin Sandhu, Advocate, on advance notice, puts in appearance on behalf of respondents No.3 to 5-GMADA. Upon instructions, he submits that the petitioner owes a sum of Rs. 20 crores to respondent No.3, and therefore, the properties cannot be de-hypothecated. He further submits that Complaint Diary No. 2707 dated 07.08.2024 has been filed by a home buyer, namely Mohinder Singh, against the petitioner with respondent No. 2, and the same is pending consideration.

6. Heard.

7. The petitioner is the promoter of a residential-cum-commercial project. The property of the petitioner had been hypothecated against the scheduled amount and he is stated to be in default of Rs.20 crores. The project is still underway and therefore, it would be difficult for this Court to adjudicate, in a writ petition, as to whether the properties which the petitioner had hypothecated are in excess of the amount, which is due to the respondents. In these circumstances, especially when disputed question of facts are involved, we would hesitate to exercise writ jurisdiction.

8. Consequently, the petition stands dismissed. The petitioner would be at liberty to seek recourse to the alternative remedy in accordance with law.

9. All pending miscellaneous application(s), if any, shall also stand disposed of.

**(ANUPINDER SINGH GREWAL)**  
**JUDGE**

**(DEEPAK MANCHANDA)**  
**JUDGE**

**23.09.2025**

*Sapna*

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