

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

CWP-19533-2015

Date of decision:- 16.09.2015

Sunita Goyal

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Rajesh Bansal, Advocate,
for the petitioner.

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S.J. VAZIFDAR, A.C.J. (ORAL)

The petitioner has challenged a notice dated 10.02.2015 calling upon her to pay an amount of ₹ 7,88,486/- computed upto 01.03.2015. Enclosed alongwith the notice is the interest calculation sheet. The notice was issued pursuant to the order of the Revisional Authority dated 24.10.2013. The order dated 24.10.2013 was, however, endorsed on 05.12.2014 and forwarded to the petitioner thereafter. Paragraph 7 of the order of the Revisional Authority reads as under:-

“7. Keeping in view the peculiar facts and circumstances of the case, I have come to the conclusion that the ends of justice would be met if interest and penal interest is charged in accordance with terms and conditions of the allotment letter upon the installments wherein a default was committed after granting the incentive from 25.06.2002 and such incentive should be adjusted whenever it was due. The petitioner cannot be made liable to pay the interest on the installments which were paid as per the prescribed schedule and after even making the delayed payment with interest. The respondent Market Committee is hereby directed to give the revised calculation sheet to the petitioner within a period of 15 days from the receipt of this order and the petitioner will deposit the same within a period of one month thereafter. I order accordingly.”

2. It is obvious that the order does not finally dispose of the revision application. The amount is yet to be computed by the Revisional Authority. The respondents by the impugned notice have only calculated the amounts as directed by the Revisional Authority. The grievance of the petitioner, if any, against the calculation must be adjudicated upon by the Revisional Authority in the first instance. In doing so, the Revisional Authority would not be exercising a review jurisdiction. That is a necessary consequence of the order dated 24.10.2013 to give the revision application finality.

3. The writ petition is accordingly disposed of.

(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE

(TEJINDER SINGH DHINDSA)
JUDGE

16.09.2015

Amodh