

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No. 20106 of 2015 (O&M)

Date of Decision: 21.09.2015

The Shiv Shankar Cooperative Group
Housing Society Ltd.

--Petitioner

Versus

State of Haryana & others

--Respondents

**CORAM:- HON'BLE MR.JUSTICE S.J. VAZIFDAR.
HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.**

Present:- Mr. R.S. Rai, Sr. Advocate with
Mr. Shaurya Sharma, Advocate for
the petitioner.

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

By an order dated 14.8.2013 passed in CWP No.17696 of 2013 in the case of Residents Welfare Association Vs. Haryana Urban Development Authority and others, a Division Bench permitted the withdrawal of the petition with liberty to the members of the petitioner-Association to seek a clarification with regard to calculation of enhanced cost of acquisition which had been demanded from them being the enhanced price. The petitioner before us is a member of the petitioner-Association in that writ petition. The petitioner's representation is pending with the authorities. The impugned notice dated 20.8.2015 calls upon the petitioner to show cause why penalty be not imposed upon it.

The question of imposition of penalty would arise only after the aforesaid representation of the petitioner is decided. The impugned order is therefore set aside with liberty to the respondents to issue a fresh demand for penalty, if necessary, in accordance with the decision on the representation regarding the quantum of enhancement payable by the

petitioner. The petitioner agrees and undertakes to pay the amount as determined within four weeks of being served with a copy of the demand subject to their right to challenge the same.

Disposed of.

(S.J. Vazifdar)
Acting Chief Justice

(Tejinder Singh Dhindsa)
Judge

21.09.2015
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