

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No.21972 of 2015 (O&M)

Date of decision:14.10.2015

M/s Moman Chand

... Petitioner

v.

State of Haryana & others

... Respondents

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

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

...

S.J. VAZIFDAR, ACTING CHIEF JUSTICE.

The petitioner accepted possession of a plot as is evident by a Memorandum of Offer dated 30.06.2014 at a price of Rs.12,05000/-. He paid 25% of the amount as well as two installments. He now contends that he accepted the Memorandum of Offer under duress and under protest. According to him, in view of the order passed by the Chief Administrator dated 23.07.2013 he was entitled to be considered for allotment of the plot at the reserve price as it existed on 14.07.2009. He contends that other similarly situated persons have been allotted plots on that basis. In the reply to his representation in this regard, the respondents *inter alia* stated that the order of the Chief Administrator did not clarify whether the plot was to be sold on the old reserve price or the new reserve price.

2. The petitioner ought to seek a clarification of the order dated 23.07.2013 on which he relies upon in support of his petition. If the clarification is against the petitioner, it would be necessary for him to challenge the same. If the clarification is in favour of the petitioner, the respondents shall consider the petitioner's application that he is not liable to pay anything more. All the contentions in this regard are kept open.

3. Since it is an application for clarification, the Chief Administrator is requested to dispose of the same according to its priority on the basis that it was filed on the date of the original order dated 23.07.2013.

4. The petition is accordingly disposed of.

(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE

(TEJINDER SINGH DHINDSA)
JUDGE

14.10.2015
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