

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No.26663 of 2015 (O&M)
DATE OF DECISION: 21.12.2015

M/s Ishwar Prem Pawan Kumar and others

....Petitioners

versus

The 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. Jagdish Manchanda, Advocate for the petitioners
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S. J. VAZIFDAR, ACTING CHIEF JUSTICE (Oral):

The petitioners are aggrieved by an order dated 08.10.2015 passed by the Chief Administrator, Haryana State Agricultural Marketing Board, Panchkula.

2. One of the grievances against the order is the observation therein that the petitioners had pressed their claim for plots in 2013 at the reserve price fixed in the year 2004.

3. The petitioners contend that they had, in fact, agreed to pay the reserve price at the current date of allotment. In support of this contention, reliance is placed on Annexure P/6, which is a part of the proceedings book relating to 07.10.2014 of the Market Committee which records that the petitioners had deposited Rs.13.10 lacs, which was 25 per cent of the then current price of Rs.52.40 lacs. We express no opinion regarding the correctness of this contention.

In that event, the petitioners ought to have first made an application to the Chief Administrator for correction or review

of the order on that ground. It is not possible for us, especially without hearing the other party, to determine as to what transpired before the Chief Administrator.

4. The petition is disposed of with liberty to the petitioners to make an application for correction/review of the order. We express no views on the other contentions raised. Liberty to the petitioners to challenge the order, if necessary.

It is further clarified that we do not even express any view as to whether the amount of Rs.52.40 lacs was the price current at that time. This order is passed only to enable the petitioners to make an application to have the order corrected. It is not our view that this order was even factually incorrect. That is for the Chief Administrator to decide.

(S. J. VAZIFDAR)
ACTING CHIEF JUSTICE

21.12.2015
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(TEJINDER SINGH DHINDSA)
JUDGE