

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
CWP No.6477 of 2015
Date of Decision:- 08.04.2015.

Royal Court Group Housing Society and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE P.B. BAJANTHRI

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Suman Jain, Advocate for the petitioners.

SURYA KANT, J. (ORAL)

1. The petitioners are Group Housing Societies to whom residential plots for the construction of multi-storeyed flats have been allotted by Haryana Urban Development Authority. The allotments were made in the year 2005 or so. They have now been served with notices like dated 27.10.2014 for payment of additional price of the allotted plots on account of enhancement of compensation of the acquired land.

2. The petitioner-Societies, instead of their separate replies, are said to have served the Authorities with a legal notice dated 22.12.2014 (Annexure P-11) claiming that they cannot be asked to pay interest at a rate higher than what was permitted by the Supreme Court as well as this Court in two cases, namely, (i) HUDA Vs. Ekta Jain and (ii) Charanjit Bajaj Vs. State of Haryana. The other plea

taken by the petitioners is that the enhanced amount of compensation has already been recovered from them at the time of fixation of the allotment price and that no interest in any case is leviable for the period before issuance of notices.

3. Since no decision on the legal notice has been conveyed to the petitioners, that the instant writ petition has been filed.

4. Having heard learned counsel for the petitioners and keeping in view the nature of relief sought by them but without expressing any views on merits or the petitioners' claim regarding the rate of interest, we dispose of this writ petition with a direction to the Administrator, HUDA, Gurgaon as well as Chief Administrator, HUDA, Panchkula to ascertain the claim put-forth by the petitioners vide their above-mentioned legal notice and decide the same by passing a reasoned order within a period of three months from the date of receipt of certified copy of this order.

5. In case, the petitioners' claim with regard to their alleged liability towards enhanced allotment price or interest is rejected, in that event, the petitioners shall first deposit the due amount without prejudice to their legal rights and then approach the appropriate forum.

(SURYA KANT)
JUDGE

(P.B. BAJANTHRI)
JUDGE

April 08, 2015.

sandeep sethi