

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.8250 of 2015

Date of Decision: August 17, 2015

Harinder Pal Singh

.....Petitioner

versus

The Greater Ludhiana Area Development Authority and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE JASPAL SINGH.

Present: Mr.Vikas Singh, Advocate, for the petitioner.

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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?

Surya Kant, J. (Oral)

One Daljit Singh was allotted plot No.1036, Phase-III, Dugri, Ludhiana vide allotment letter dated 11.07.2007. He sold that plot to the petitioner and the Greater Ludhiana Area Development Authority (GLADA) then issued allotment letter dated 23.07.2008 in favour of petitioner. He deposited the due installments as per the schedule mentioned therein but when he applied for 'No Due Certificate' as he wanted to further sell the said plot, the authorities raised a demand of Rs.14,89,900/-. This demand was allegedly on account of the fact that by mistake one of the installment was not paid.

The petitioner paid the aforesaid amount under protest and got issued the 'No Due Certificate'. He then questioned the above-mentioned demand but the Estate Officer, GLADA vide order dated 13.11.2011 has justified the demand on the ground that one installment was pending

against the plot in dispute.

The petitioner claims that the amount recovered from him is excess to the allotment price. Alternatively, he asserts that no interest could be levied as he deposited the amount within one month of the demand raised and the delay in raising such demand lies on the part of the authorities. It is pointed out that 50% of the demanded amount is in fact interest component.

Having heard learned counsel for the petitioner, it appears that both the above-mentioned questions can be effectively redressed by the authorities, who can also take a lenient view on the levy of interest. We thus, relegate the petitioner to approach the Administrator/Chief Administrator, GLADA who in turn is directed to entertain the appeal, if any, filed by the petitioner within a period of one month. The said Authority shall deal with both the aspects and pass an appropriate reasoned order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

August 17, 2015
mohinder

[JASPAL SINGH]
JUDGE