

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No.15269 of 1997 (O&M)
DATE OF DECISION: 19.01.2016

M/s Printads

....Petitioner

versus

Haryana State Industrial Development Corporation Limited and
others

.....Respondents

CORAM:- HON'BLE MR.JUSTICE S.J. VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Mohinder S. Nain, Advocate for the petitioner

Mr. Kamal Sehgal, Advocate for the respondents

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S.J. VAZIFDAR, ACTING CHIEF JUSTICE (Oral):

The petitioner has challenged an order of resumption and the order of the appellate authority dismissing its appeal against the same.

2. Mr. Sehgal, the learned counsel appearing on behalf of the respondents, on taking instructions, states that the respondents are willing to re-allot the plot to the petitioner at the current rate of allotment i.e. Rs.30,000/- per square meter. The petitioner, with a view to avoiding the litigation and putting an end to the dispute, is willing to accept this offer. Thus, this offer and acceptance is with the consent of the parties.

3. There remains the question as to the mode and manner of payment of the said amount. Under the current policy, ten *per cent* of the consideration is to be paid along with application. Fifteen *per cent* of the consideration is to be paid within 30 days from the date of issuance of regular letter of allotment. Clause 3.6 of the

present policy stipulates the payment terms. The petitioner desires availing the facility of instalments provided under the policy. There can be no objection to the same.

4. The petition is, therefore, disposed of by recording the offer of the respondents to re-allot the plot to the petitioner at the current market rate of Rs.30,000/- per square meter and by recording the petitioner's acceptance thereof. The payment shall be made as per the payment terms of the Estate Management Procedures (EMP)-2015 and, in particular, Clause 3.6 thereof. The ten per cent of the tentative price of the plot, as EM, shall be paid on or before 29.02.2016. 29th February, 2016 shall be deemed to be the date of application. The further payments shall be made accordingly under Clause 3.6 of the EMP-2015. The respondents shall thereafter issue the regular letter of allotment to the petitioner in accordance with the current policy. The petitioner shall abide by the terms and conditions of the allotment letter and the current policy, which Mr. Sehgal states is the EMP-2015.

(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE

19.01.2016
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(ARUN PALLI)
JUDGE