

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.11639 of 2013(O&M)
Date of decision:25.04.2016

M/s Lakhanpal Design Pvt. Ltd.
.....Petitioner

versus

State of Punjab and others
.....Respondents

CWP NO. 11652 of 2013(O&M)

M/s Lakhanpal Design Pvt. Ltd.
.....Petitioner

versus

State of Punjab and others
.....Respondents

CWP No. 11779 of 2013(O&M)

M/s Lakhanpal Design Pvt. Ltd.
.....Petitioner

versus

State of Punjab and others
.....Respondents

CWP No. 6085 of 2015

Kulwinder Singh
.....Petitioner

versus

State of Punjab and others
.....Respondents

CWP No. 6108 of 2015

Kulwinder Singh

.....Petitioner

versus

State of Punjab and others

.....Respondents

CWP No. 6118 of 2015

M/s Harman Builders Private Limited

.....Petitioner

versus

State of Punjab and others

.....Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Kanwaljit Singh, Sr. Advocate with
Mr. Vikram Gupta, Advocate (CWP Nos., 11652, 11779
of 2013, 6085, 6108, 6118 of 2015)
Mr. Amandeep Singh, Advocate
(CWP No.11639 of 2013).
for the petitioners.

Mr. V.Ramswaroop, Addl.AG, Punjab.

Rakesh Kumar Jain, J.

CM No. 4741 of 2016 in
CWP No.11639 of 2013

This application is filed for placing on record Annexure
P-5.

Application is allowed subject to all just exceptions.

CWP NO. 11639 of 2013 and other connected cases

This order shall dispose of six writ petitions bearings
CWP Nos. 11639, 11652, 11779 of 2013, 6085, 6108 and 6118 of
2015.

The issue involved in these petitions is common. One of
the argument raised by counsel for the petitioner is that the

respondents have taken the base value of 2012-2013 of the Collector rate for the sale deed which was executed in the year 2010. It is also submitted by counsel for the petitioners that no opportunity of hearing was given to the petitioners to lead evidence at the time of inquiry.

Counsel for the respondents has fairly submitted that the impugned order lacks the opportunity of hearing to the petitioner and has suggested that the impugned order may be set aside and the matter may be remanded back to the Collector to decide it a fresh after giving opportunity to the parties to lead their evidence in respect of the rate of the land prevailing at the time of the execution of the sale deed.

After hearing learned counsel for the parties and keeping in view the aforesaid facts and circumstances, the above mentioned writ petitions are hereby allowed, the impugned orders are set aside and the matter is remanded back to the Collector to decide the lis between the parties de novo after giving them proper opportunity of leading their respective evidence, if any.

Parties are directed to appear before the Collector on 16.05.2016.

25th April, 2016

Shivani Kaushik

**[Rakesh Kumar Jain]
Judge**