

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.11734 of 2017 (O&M)

Date of Decision: 26.05.2017

Harjinder Singh & Anr.

... Petitioners

VS.

State of Punjab & Anr.

... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE HARI PAL VERMA

Present: Mr. SS Salar, Advocate for the petitioners

SURYA KANT, J. (Oral)

(1) The land of the predecessor-in-interest of the petitioners was acquired way back on 19.04.1974. The claims for allotment of plots to the Local Displaced Persons were also invited by the Improvement Trust, Ludhiana in the 1975. Regardless of the fact that there was a delay of decades, this Court vide order dated 21.08.2015 passed in CWP No.17445 of 2015 directed the Improvement Trust to ascertain the claim of the petitioners and take an appropriate decision. However, such a direction was issued subject to the condition that in case the Trust would decide to allot a plot to the petitioners *“the same will be allotted only at the current market rate and not at the old rate(s)”*.

(2) The petitioners accepted the above-stated order and did not challenge the same. The direction has thus attained finality. In deference to the above-stated direction, the Improvement Trust, Ludhiana has now allotted plot measuring 400 sq.yards to the petitioners vide allotment letter dated 23.11.2016 at the current reserve price of ₹ 31200 per sq.yard.

(3) The petitioners now want allotment at a lower rate on the pretext that such a benefit was granted by this Court in some earlier cases. We are

and did those instances are not applicable in the case in hand for the reason that

this Court has specifically directed that the allotment, if any, will be at the current market price only. The present claim is totally barred by the principle of *res judicata*.

(4) No case to interfere with the rate of allotment fixed by the respondents is made out.

(5) Dismissed.

(Surya Kant)
Judge

26.05.2017
vishal shonkar

(Hari Pal Verma)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes
No