

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CM No. 9007 of 2017 In /and  
CWP No. 14092 of 2017 (O&M)  
Date of decision: 24.07.2017

Purander Goyal and others

... Petitioners

versus

Chief Administrator, HUDA, Panchkula and others

.... Respondents

**CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, CHIEF JUSTICE  
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU**

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Present: Mr. Aman Bansal, Advocate  
for the petitioner.

Mr. Lokesh Sinhal, Advocate  
for respondent Nos. 1 to 6.

**S. J.VAZIFDAR, CJ. (ORAL)**

By an order dated 03.07.2017, learned counsel for the respondent-HUDA was asked to inform the Court on the next occasion as to whether any notices were issued to the petitioners or petitioners' society.

Learned counsel for respondent-HUDA states that notices have been issued only to the allottees i.e. respondent No.8 Director General Air Force Naval Housing Board as HUDA is concerned only with the allottees. In other words, according to him, HUDA is not concerned with the persons in whose favour the allotments have been made by the allottees, such as the petitioners and the society of which they are the members in the present case.

In other words, therefore, the petitioners and other members

of the society and society were not served with the notices. Even though it may not be necessary for HUDA to serve the notices upon them, we are of the view that the ends of justice require their being served with demand notices, for, ultimately they would be affected by any demand or the non-payment thereof.

The petitioners by an order dated 03.07.2017 were directed to implead the Society of which they are members, as respondent No.9. The application has been taken out for the same. Considering the nature of the order, we intend passing, it is not necessary to allow that application. The interests of the society will also be protected by this order.

Similar cases bearing CWP Nos. 14689 of 2010 (The Angel Cooperative Group Housing Society Ltd. Vs HUDA and others) and CWP No. 17239 of 2010 (Sharanjit Singh and others Vs. Haryana Urban Development Authority and others) were disposed of by an order dated 25.09.2013. The operative part of the order is set out at Annexure P-16.

Accordingly, the impugned demand notices are stayed. The Committee constituted by the respondents pursuant to the said order and judgment dated 25.09.2013 after providing an opportunity of hearing to the representatives of the petitioners and the society of which they are members shall determine the amount payable by passing a speaking order in accordance with law by 30.11.2017.

The material on the basis of which the calculation is proposed to be made shall be furnished to the petitioner. It will be the responsibility of the petitioners to serve a copy of this order upon the society and to produce the acknowledgement thereof before the Committee.

The society and the petitioners are at liberty to appear before the Committee in the first instance at 11.00 A.M on 03.08.2017 and thereafter as directed by the committee.

Demand notices shall stand substituted by a fresh order to be passed by the committee.

The petition is accordingly disposed of.

**(S.J. VAZIFDAR)**  
**CHIEF JUSTICE**

**(HARINDER SINGH SIDHU)**  
**JUDGE**

**24.07.2017**

**kv**

Whether speaking/non-speaking: Yes/No

Whether reportable : Yes/No