

HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-11317-2015

Date of Decision: March 12, 2018

Jeet Singh and another

.....Petitioners

Versus

Haryana State Agriculture Marketing Board, Panchkula and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SHEKHER DHAWAN

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| 1. | To be referred to the Reporters or not? | Yes/No |
| 2. | Whether the judgment should be reported in the Digest? | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |

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Present: Mr.Rohit Ahuja, Advocate for the petitioners.

Mr.Sandeep Moudgil, Advocate for the respondents.

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SURYA KANT, J.

Petitioners were allotted Plot No.1 (subsequently changed to Plot No.105), New Vegetable Market, Sector 16, Faridabad, being the highest bidders in an open auction held on 26.02.1999. The allotment letter was, however, issued to them with the intervention of Consumer Court on 01.02.2008 (Annexure P1) only and it can hardly be disputed that the terms and conditions of allotment are identical to those which were subject matter of consideration before this Court in **Sumer Singh vs Haryana State Agricultural Marketing Board and others**, CWP No.3292 of 2012 which was allowed in part on 11.02.2014 (Annexure P6). The controversy pertains to levy of penal and compound interest and extension fee on the allotment

price, which according to the petitioners has been illegally charged in

violation of the Haryana State Agricultural Marketing Board (Sale of Immovable Property) Rules, 2000 as amended on 05.03.2002.

[2] The petitioners thus sought the same relief as was granted by this Court in Sumer Singh's case (supra) but instead of putting up their claim before the Competent Authority, the same has been brushed aside by way of a reply to their legal notice. In our considered view, it is imperative upon the Chief Administrator of the respondent-Board to consider the claim of the petitioners keeping in view the decision of this Court in Sumer Singh's case (supra) and pass an appropriate reasoned order.

[3] The writ petition is accordingly disposed of with a direction to the Chief Administrator, HSAMB to decide the above-mentioned claim of the writ petitioners by way of a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case the petitioners are not fully satisfied, they shall be at liberty to file an appeal/revision petition before the State Government in accordance with law.

(SURYA KANT)
JUDGE

March 12, 2018
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(SHEKHER DHAWAN)
JUDGE

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |