

**HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.1220 of 2018

Date of Decision: 22.01.2018

Ambedkar Education Society

...Petitioner

VS.

State of Haryana & Ors.

... Respondents

**Coram : Hon'ble Mr.Justice Surya Kant
Hon'ble Mr.Justice Shekher Dhawan**

Present: Mr. Arun Jain, Senior Advocate with
Mr. Sunil Sharma, Advocate for the petitioner

SURYA KANT J. (Oral)

(1) The petitioner-Society is said to have purchased residential house No.7, Sector R-III, MTS Cheeka, Urban Estate, Kaithal in an auction conducted by Punjab National Bank. The sale certificate was issued on 07.10.2013. It is averred that the petitioner-Society had purchased a constructed house which was in existence prior to 2013. HUDA authorities have, nevertheless, demanded 'extension fee' to the tune of ₹ 8,37,390/- as a pre-condition for the transfer of the said house in favour of the Society. The petitioner-Society submits that it is not liable to pay 'extension fee' as it had purchased the constructed house and not a vacant plot. Such an issue has been raised by the petitioner in its legal notice dated 29.09.2017 (P10) as also in the subsequent representations but finding no response thereto, the instant writ petition has been filed.

(2) Having heard learned counsel for the petitioner, it appears to us that the Estate Officer, HUDA Kaithal is obligated to determine whether the petitioner-Society is liable to pay any 'extension fee' in respect of the property which was already a residential house before it was purchased by

the petitioner in an auction. The Estate Officer will also determine whether the charges, if leviable, are recoverable from the petitioner or the previous owner. Let an appropriate decision be taken after hearing the petitioner's representative and by passing a reasoned order within a period of three months from the date of receipt of certified copy of this order.

(3) Ordered accordingly.

(Surya Kant)
Judge

22.01.2018
vishal shonkar

(Shekher Dhawan)
Judge

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

Yes
No