

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.14836 of 2018.

Date of Decision: July 03, 2018

Faridabad Industries Association

.....Petitioner

versus

Haryana Shehri Vikas Pradhikaran and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Aashish Chopra, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The petitioner is an Association of owners of industrial plots in Sector 58, Faridabad. Its grievance is against the memo dated 29.12.2017 (P-4) sent by the Chief Administrator, HUDA, Panchkula to the Estate Officer, HUDA, Faridabad for the recovery of additional price pertaining to the land acquired for the development of Sector-58, Faridabad. The letter/memo refers to the judgment of various courts including that of Additional District Judge upto the Hon'ble Supreme Court dated 11.12.2014 whereby compensation amount for the acquired land was enhanced and as a result thereof, the allottees of plots are sought to be burdened with additional price @ Rs.1987.00 per square meter for General Category. The details as to which the additional price has been calculated, also find mentioned in Annexure-A comprising the calculation sheet which has been appended with the letter.

The petitioner-Association has multiple grievances against the manner in which the additional price has been determined. The total area under acquisition utilized under the lay-out plan or released as well as the

reasons for adding the interest component are being seriously disputed.

The issues sought to be raised by the petitioner-Association, in our considered view, are essentially the question of facts which can be determined by the authorities on verification of record. The petitioner-Association has already made a representation on 19.04.2018 (P-7) which appears to be still pending consideration before the authorities.

In the light of the above discussion and without expressing any views on merits, the writ petition is disposed of with a direction to respondent Nos.2 & 3 to ascertain the correct facts as averred by the petitioner-Association and decide their objection-cum-representation by way of reasoned order, preferably after giving opportunity of hearing to the representative of the petitioner-Association, within a period of two months from the date of receiving a certified copy of this order.

Meanwhile, members of the petitioner-Association may deposit the additional price, as per the latest Scheme notified by the State Government, without prejudice to their legal rights.

Dasti.

**[SURYA KANT]
JUDGE**

July 03, 2018
mohinder

**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No