

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.15569 of 2018

Date of Decision: July 02, 2018

Smt.Shastri Devi and others

.....Petitioners

versus

Haryana Urban Development Authority and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Navneet Singh, Advocate, for the petitioners.

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Surya Kant, J. (Oral)

The petitioners are allottees of residential plots by HUDA at Sector-15, Part-II, Sonapat. Their grievances are against the show-cause notices dated 01.04.2018 asking them to deposit additional allotment price of Rs.4298.88/- per square meter. The reason for asking them to pay the revised allotment price, as per the HUDA authorities, is the enhancement of compensation by the Court(s) in respect of the acquired land.

The petitioner-allottees have multiple grievances against the manner in which the additional price has been demanded. According to them, the interest has been levied from the year 1995 till 2018, whereas, the compensation amount was enhanced by the Courts in the years 2000 and 2010. Their other grievance appears to be that the amount received by HUDA authorities through open auctioning of the commercial and residential sites has not been accounted towards the total liability. All these issues have been raised by the petitioners in their reply to the show-cause notices, a copy whereof submitted by petitioner No.1 is appended on illustrative basis as Annexure P-49.

Since the writ petition essentially involves questions of facts

pertaining to the manner in which the allotment price has been determined, the writ petition is disposed of without expressing any views on merits, with a direction to the Estate Officer, HUDA, Sonapat to consider the reply-cum-objections submitted by the petitioners against the impugned show cause notices and decide the same by way of reasoned order. The petitioners are permitted to supply a copy of the instant writ petition to the Estate Officer which shall be treated as a supplementary joint representation on their behalf and the averments made therein may be taken into consideration while passing the reasoned order. Let the needful be done within a period of two months from the date of receiving a certified copy of this order. The deposit of enhanced price by the petitioners shall be subject to the order to be passed by HUDA authorities.

[SURYA KANT]
JUDGE

July 02, 2018
mohinder

(SUDIP AHLUWALIA)
JUDGE

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