

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-16444-2018

Date of Decision: July 09, 2018

New Subzi Mandi Aarti Association

.....Petitioner

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

Present: Mr.Brijender Kaushik, Advocate for the petitioner.

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SURYA KANT, J.(ORAL)

The petitioner is an Association of allottees of plots in the New Fruit and Vegetable Market, GT Road, Ambala City. The new Market came to be set up in the year 2014. The short grievance in the instant writ petition appears to be that some of the allottees approached this Court by way of CWP No.5498-2016 (**M/s Bhatia Brothers and others vs State of Haryana and others**) questioning the amount demanded towards the allotment price of plots in the New Market. It was urged that demand was contrary to the policy decision pursuant to which the reserve price was fixed. The writ petition was disposed of with a direction to the prescribed Authority to consider the claim of the writ petitioners as contained in their writ petition. In deference thereto, the Chief Administrator of the Board passed an order dated 30.06.2016 (Annexure P-8) whereby the allotment price was directed to be re-fixed in favour of the allottees. The said order

has attained finality.

[2] In the instant case, the Association of the allottees submits that benefit of re-fixation of allotment price in terms of the above-stated order of the Chief Administrator of Board is not being extended to all the similarly placed allottees. We find from the record that such a claim has been already raised by the petitioners vide representations dated 28.02.2017 and 05.05.2018 (Annexure P-10 Colly).

[3] The writ petition is, thus, disposed of at this stage with a direction to the Chief Administrator of the respondent-Board to consider the claim of members of the petitioner-Association in terms of the order dated 30.06.2016 (Annexure P-8) passed by the then Chief Administrator of the Board and if members of the petitioner-Association are found entitled to any refund after re-fixation of the allotment price, let needful be done within a period of three months from the date of receipt of a certified copy of this order.

(SURYA KANT)
JUDGE

July 09, 2018
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(SUDIP AHLUWALIA)
JUDGE

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