

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.16882 of 2018.

Date of Decision: July 12, 2018

Resident Welfare Association, Bahadurgarh

.....Petitioner

versus

State of Haryana and others

.....Respondents

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

**HON'BLE MR.JUSTICE SUDIP AHLUWALIA.**

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Present: Mr.Mukul Aggarwal, Advocate, for the petitioner.

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**Surya Kant, J.** (Oral)

The petitioner is a Resident Welfare Association formed by the residents of Sector-9-A, Bahadurgarh, District Jhajjar. Its grievance is against the demand notice dated 25.05.2018 (P-3) and Calculation Sheet dated 18.01.2018 (P-4), whereby plot-owners of the above-mentioned Sector have been asked to pay additional allotment price at different rates depending upon the category to which the allottees belong. The members of the petitioner-Association have multiple grievances against the manner in which liability towards additional price has been calculated and fastened on them. All these issues have been raised by them vide self-explanatory representation dated Nil (P-5.).

[2] While the petitioner/its members were in the process of submitting their objection-cum-representations, HUDA has meanwhile notified 'One Time Settlement Scheme' whereunder if an allottee-in-default deposits the balance allotment price, such allottee is entitled to concession/discount to the extent of 40% or so. The members of the petitioner-Association also want to avail the benefit of the aforesaid Scheme

but their grievance is that the said Scheme imposes a rider that the allottee

will have to withdraw the pending Court cases and/or will not litigate the matter in the Court of law. Since the petitioners are aggrieved by the calculation made by HUDA authorities, they obviously seek protection of their right to approach the appropriate forum or the Court of law even after availing the concession/discount permissible under 'One Time Settlement Scheme'.

[3] This Court disposed of CWP No.16594 of 2018 (House Owners Welfare Association versus Haryana Shahri Vikas Pradhikaran and another) on 10.07.2018, wherein also the members of petitioner-Association challenged the demand notice and calculation sheet, with the following directions:-

- “(i) The members of the petitioner-Association may avail the benefit of 'One Time Settlement' Scheme which is operative w.e.f. 15.05.2018 for a period of two months and avail the concession admissible thereunder;
- (ii) HUDA authorities will entertain their request for the grant of benefit under the 'One Time Settlement Scheme';
- (iii) There shall be a joint Committee comprising, Chief Administrator, HUDA; Estate Officer, HUDA, Panchkula and the Chief Controller of Finance, Haryana Urban Development Authority, Panchkula, who shall consider the representation-cum-objections submitted by the petitioner-Association against the revised demand notice dated 24.05.2018 read with Calculation Sheet dated 11.05.2018 and decide the same by way of reasoned order after hearing representative of the petitioner-Association.

Let the needful be done within a period of four  
months from the date of receiving a certified copy of this  
order.....”

The instant writ petition is thus also disposed of in the same  
terms.

**[SURYA KANT]**  
**JUDGE**

**July 12, 2018**  
*mohinder*

**(SUDIP AHLUWALIA)**  
**JUDGE**

|                                  |          |               |
|----------------------------------|----------|---------------|
| <b>Whether speaking/reasoned</b> | <b>:</b> | <b>Yes/No</b> |
| <b>Whether Reportable</b>        | <b>:</b> | <b>Yes/No</b> |