

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.16947 of 2018.

Date of Decision: July 13, 2018

Durga Sharma

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Ms.Sharmila Sharma, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The petitioner belongs to Economically Weaker Section of the Society. She has purchased a plot measuring 21 square meter in Sector-20, Panchkula meant for the said category. HUDA authorities have thereafter enhanced the allotment price and raised an additional demand of Rs.84,000/- against the petitioner. HUDA has now formulated 'One Time Settlement Scheme' dated 15.05.2018 whereunder an allottee-in-default can deposit the due amount and get rebate to the extent of 40%. The 'One Time Settlement Scheme', however, further contemplates that the allottee who wants to avail the benefit of that Scheme will be debarred from litigating the matter in Courts and shall have to withdraw the pending litigation. The petitioner's grievance is that in case she avails the benefit under the above-stated OTS Scheme, she will be debarred from agitating against the additional demand of Rs.84,000/- raised by HUDA.

This Court in CWP No.16489 of 2018 (Resident Welfare Association, Sector-8, Jind and others versus State of Haryana and others)

decided on 09.07.2018, while dealing with the similar issue, has observed

that HUDA cannot debar or prevent a person from approaching the Court of law by way of executive fiat. The instant writ petition is thus disposed of with liberty to the petitioner to avail the benefit of the OTS Scheme and if her grievance is not fully redressed, she may approach the appropriate forum in accordance with law.

Dasti.

[SURYA KANT]
JUDGE

July 13, 2018

mohinder

(SUDIP AHLUWALIA)
JUDGE

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