IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-1792-2018

Date of Decision: 29.1.2018

Bhim Singh and others

....Petitioners.

Versus

State of Haryana and others

...Respondents.

CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

PRESENT: Mr. Aditya Jain, Advocate for the petitioners.

AJAY KUMAR MITTAL, J.

1. In this petition filed under Articles 226/227 of the Constitution of India, the petitioners have prayed for issuance of a writ in the nature of certiorari for quashing the demand notice dated 12.10.2017/14.11.2017 (Annexure P-2) raising the demand of enhancement from them.

2. The petitioners as mentioned in the list (Annexure P-1) are either allottees or subsequent purchasers/re-allottees of the plots. The Haryana Urban Development Authority (HUDA) invited applications for the development of Sector 46, Part-I and Part-II, Faridabad which was approved by the revised layout-cum-demarcation plan dated 4.7.1994. The land was acquired. The award was passed by the Collector which was enhanced by the Additional District Judge, Faridabad and was further enhanced by this Court vide judgment dated 27.7.2005. Accordingly, vide

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notice dated 12.10.2017/14.11.2017 (Annexure P-2), the demand was raised from the allottees including the petitioners. One of the allottees submitted reply dated 28.12.2017 (Annexure P-3) to the said notice to respondent No.3, but no response has been received till date. Reliance has been placed upon the policies (Annexures P-4 and P-5, respectively). Hence, the present writ petition.

3. Learned counsel for the petitioners submitted that for the relief claimed in the writ petition, the petitioners have sent a reply dated 28.12.2017 (Annexure P-3) to respondent No.3, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioners, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petition by directing respondent No.2 to take a decision on the reply dated 28.12.2017 (Annexure P-3), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioners within a period of three months from the date of receipt of the certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

January 29, 2018 **(ANUPINDER SINGH GREWAL)**
gbs **JUDGE**

Whether Speaking/Reasoned **Yes/No**

Whether Reportable **Yes/No**

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