

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.6556 of 2015

Date of Decision: July 18, 2018

Rama Rani and others

.....Petitioners

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Gaurav Singla, Advocate, for the petitioners.

Ms.Shubhra Singh, Additional AG, Haryana.

Mr.S.K.Mahajan, Advocate, for respondent No.2.

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Surya Kant, J. (Oral)

The petitioners purchased Booth No.73, Grain Market, Dhamtan Sahib, Tehsil Narwana, District Jind from the original allottee(s). The original allotment was made in the year 1988. It is stated that the 'development works' could be completed somewhere in the year 2003 only. Meanwhile, 'extension fee' and 'penal interest' was demanded from the original allottee for non-construction of the booth site. The petitioners purchased the booth site on 06.08.2012 and then started claiming refund of the 'extension fee' and 'penal interest' which was paid by their vendor. Their claim was turned down by the Revisional Authority vide order dated 03.10.2013 (P-1), which reveals that the revision petition has been dismissed only on the ground that the petitioners being subsequent vendees have no locus-standi to file the revision petition as they are not the original allottee. A Division Bench of this Court in Prem Singh and another versus Haryana Urban Development Authority, Panchkula and another, 2013(4)

the shoes of vendor, can seek refund of the compound interest or any illegal charge levied on the original allottee.

In the light of the view taken in Prem Singh and another's case (supra), the writ petition is allowed in part; the revisional order dated 03.10.2013 is set-aside and without expressing any views on merits, the matter is relegated to the Revisional Authority to decide the same afresh on merits and in accordance with law.

The parties are directed to appear before the Revisional Authority on 20.08.2018.

**[SURYA KANT]
JUDGE**

July 18, 2018
mohinder

**(SUDIP AHLUWALIA)
JUDGE**

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