

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**Civil Writ Petition No.4545 of 2018
Date of decision: February 26, 2018**

The Vaishali Co-operative G.H.S. Ltd.

....Petitioner

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 petitioner.

AJAY KUMAR MITTAL, J. (Oral)

1. In this petition filed under Articles 226/227 of the Constitution of India, the petitioner has prayed for issuance of a writ in the nature of certiorari for quashing the demand notice dated 24.11.2017/30.11.2017 (**Annexure P-1**) raising the demand of enhancement from it.

2. The petitioner is either an allottee or subsequent purchaser/re-allottee of the plot. 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 notice dated 24.11.2017/30.11.2017 (Annexure P-1), the demand was raised from the petitioner. The petitioner submitted reply dated 18.12.2017 (Annexure P-2) 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-3 and P-4, respectively). Hence, the present writ petition.

3. Learned counsel for the petitioner submitted that for the relief claimed in the writ petition, the petitioner has sent a reply dated 18.12.2017 (Annexure P-2) to respondent No.3, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioner, 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 18.12.2017 (Annexure P-2), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner within a period of three months from the date of receipt of the certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

February 26, 2018
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Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No