

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-7133-2018

Date of Decision: 22.3.2018

M/s Sakshi Footwears Pvt. Ltd. Kundli and another

....Petitioners.

Versus

Haryana State Industrial and Infrastructure Development Corporation Ltd.,
Panchkula

...Respondent.

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

PRESENT: Mr. Manoj Chauhan, Advocate for the petitioners.

AJAY KUMAR MITTAL, J.

1. By way of instant 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 notices dated 28.9.2017 and 29.9.2017 (Annexures P-2 and P-3, respectively) issued by the respondent. Further, a writ of mandamus has been sought for appointment of an Expert Body to conduct special audit of the accounts of the respondent with regard to acquisition of land for the purpose of welfare of Industrial Estate, Kundli.

2. The respondent established a Industrial Estate as per the lay out plan dated 19.11.2013 (Annexure P-1). The petitioners are the allottees of the industrial plots in Industrial Estate, Kundli, Phase IV, District Sonapat. Vide demand notices dated 28.9.2017 and 29.9.2017 (Annexures P-2 and P-3, respectively), the respondent had sought recovery of the additional

price/enhanced costs from the petitioners qua the allotted plots situated in Industrial Estate, Kundli, Phase IV, District Sonapat on account of enhancement in compensation. Thereafter, the Regular Allotment Letter dated 22.8.2007 (Annexure P-4) was issued to petitioner No.1 qua plot No.345, Phase IV, Sector 57, Kundli. The said land was acquired by the Government of Haryana vide notification issued under Section 4 of the Land Acquisition Act, 1894 for the development of Industrial Area. This Court vide order dated 21.11.2016 (Annexure P-5) passed in RA-173-CI-2016 increased the amount to ₹ 20 lakhs per acre for the land abutting GT Road upto the depth of 880 feet and ₹ 14 lakhs for the land situated beyond 880 feet from the GT Road. In a similar matter of compulsory acquisition for Phase I of IMT, Manesar, the allottees of the Manesar filed CWP-24587-2012 against the enhanced demand notice from the respondent and this Court vide order dated 11.11.2014 (Annexure P-6) dismissed the said writ petition along with other writ petitions. This Court vide order dated 2.11.2017 (Annexure P-7) passed in CWP-23832-2015 directed the respondent to recalculate the enhanced amount. Accordingly, the petitioners moved a representation dated 27.10.2017 (Annexure P-8) to the respondent for supply of information with regard to enhanced compensation, but no response has been received till date. 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 representation dated 27.10.2017 (Annexure P-8) to the respondent, 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 the respondent to take a decision on the representation dated 27.10.2017 (Annexure P-8), 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

March 22, 2018
gbs

(ANUPINDER SINGH GREWAL)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No