

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

Sr. No.115

**CWP No.19943 of 2019 (O&M)  
Date of decision : 23.7.2019**

Ranju Goyal and others

..... Petitioners

**VERSUS**

State of Punjab and others

..... Respondents

**CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY  
HON'BLE MR. JUSTICE SUDHIR MITTAL**

Present: Dr. Rau P.S. Girwar, Advocate, for the petitioners.

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**SUDHIR MITTAL, J.**

The petitioners are residents of Bathinda Development Authority Enclave, Phase IV and V, Bathinda. They are aggrieved because additional price has been demanded by the respondents on account of increase in compensation to be awarded to the land owners.

2. Pursuant to a scheme floated in the year 2011, the petitioners applied for and were allotted plots therein @ Rs.11,000/- per sq. yard. The land for the scheme was acquired @ Rs.620/- per sq. yard, which was enhanced to Rs.1,000/- per sq. yard by the reference Court. The High Court further enhanced it to Rs.1150/- per sq. yard and allegedly Special Leave Petitions against the judgment of the High Court are pending. Meanwhile, additional demand has been raised on account of enhancement in compensation. Clause 7 of the allotment letter provides for increase in price of the plot in the event of enhancement of compensation and thus, we do not find any illegality in the demand raised by the respondents.

3. Learned counsel for the petitioners then submits that there is a private colony being developed just across the road from the colony of the petitioners and the private builder is allotting plots @ Rs.5,000/- per sq. yard. The petitioners have already paid Rs.11,000/- per sq. yard and yet, an additional demand has been raised which shows that the respondents are indulging in profiteering. Hence, the additional demand be set aside.

4. Allotment price is a matter of contract. The petitioners have purchased their respective plots after accepting the price offered by the respondents and in exercise of jurisdiction under Article 226 of the Constitution of India, we cannot opine upon the reasonability thereof. If a private builder is allotting plots in the vicinity of the colony of the petitioners @ Rs.5,000/- per sq. yard in the year 2017, the same is by itself not sufficient to establish that the price demanded by the respondents was unreasonable. The price of a plot in a developed colony depends upon the cost of development and there is nothing on record to show that development in the private colony is being done at the same scale as has been done in the colony of the petitioners. This argument of learned counsel for the petitioners must therefore, fail.

5. Accordingly, we do not find any merit in this petition and the same is dismissed.

**(DAYA CHAUDHARY)**  
**JUDGE**

**(SUDHIR MITTAL)**  
**JUDGE**

**23.7.2019**

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No