

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

**RSA No.4238 of 2017 (O&M)
Date of Order:18.01.2019**

Chief Administrator, HUDA and another

..Appellants

Versus

Resident Welfare Association and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Deepak Balyan, Advocate,
for the appellants.

Mr. Randhir Singh Badhran, Advocate,
for respondents No.1, 2 and 4 to 8

ANIL KSHETARPAL, J(Oral)

Haryana Urban Development Authority (new name Haryana Shehri Vikas Pradhikaran) is in the regular second appeal against the judgment passed by the courts below.

Plaintiff-respondent no.1 is a Resident Welfare Association and remaining respondents are allottees.

Dispute in the present case is with respect to entitlement of the Haryana Shehri Vikas Pradhikaran to recover the alleged enhanced amount on account of market price assessed by the court in appeal while deciding the appeals of the persons whose land was acquired. Both the courts have quashed the notices on technicality and directed the appellants to provide fresh calculation in accordance with law.

Learned counsel for the appellants has submitted that the Haryana Government has constituted a Committee consisting of 3 retired

Judges of High Court vide notification No.197601 dated 01.10.2018.

He submits that let the matter be sent to the aforesaid Committee.

On the other hand, learned counsel for the respondents submits that the litigation is pending for quite some time and therefore there should be a direction to the appellants to provide fresh calculations.

Keeping in view the limited controversy involved in the present appeal, this court is of the opinion that once a Committee has been constituted to look into the aforesaid issue, the request for fresh calculation can very well be made to the Committee. Accordingly, while disposing of the appeal, parties are directed to present their respective cases before the Committee who would take a decision thereon preferably within a period of 6 months.

Learned counsel for the appellants has submitted that calculations in accordance with law shall be provided to the respondents within one month.

C.M.No.11000-C of 2017

Prayer in this application is for condonation of delay of 67 days in filing the appeal.

For reasons mentioned in the application, which is supported by an affidavit, the delay of 67 days in filing the appeal is condoned.

Application is allowed.

January 18, 2019
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No