

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

CWP No.8311 of 2023 (O&M)

Date of Decision: 21.04.2023

The Samanvay Co-operative Group Housing Society Limited

..... Petitioner

V/s.

State of Haryana and Others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sanjeev Sharma, Sr. Advocate with
Mr. Vikram Vir Sharda, Advocate;
Mr. Sandeep Singh, Advocate and
Mr. Jugash Goyal, Advocate,
for the petitioner.

Augustine George Masih, J. (Oral)

The petitioner has approached this Court with various grievances, as have been highlighted in the writ petition. One of the said grievances is non payment of 20% of rebate on additional payment charges towards the cost of the land that the respondents could not have charged from the petitioner. The claim of the petitioner would be covered in their favour by the judgment passed by the Division Bench of this Court in CWP-14184-2013 titled as “Hermitage Cooperative Group Housing Society Limited Vs. State of Haryana and Others” dated 21.11.2014 (Annexure P-26). The Special Leave Petition (SLP) preferred by the respondents stands dismissed vide order dated 04.07.2016 (Annexure P-27). Learned counsel thus contends that the said order has attained finality and the petitioner deserves the same benefit as has been granted to the petitioner in the said writ petition. Highlighting this aspect and putting forth their claim, the petitioner has submitted various representations, one of which is 19.07.22 (Annexure P-23). Learned counsel contends that the said representation, till date,

has neither been considered nor decided. He further contends that the other consequential reliefs and benefits would arise in case the claims of the petitioner are accepted.

Notice of motion.

On the asking of the Court, Mr. Pravindra S. Chauhan, Sr. Addl. A.G., Haryana, accepts notice on behalf of respondents.

Keeping in view the fact that the petitioner has submitted their representation dated 19.07.2023 (Annexure P-23) to the Administrator, Haryana Shehri Vikas Pradhikaran (HSVP), Gurugram-respondent No.4, the same is ordered to be considered and a decision taken thereon within a period of six weeks. The decision so taken, be conveyed to the petitioner.

In case, their claim(s) is/are accepted, the consequential benefit(s) be released to the petitioner forthwith.

It is made clear that in case, other claim(s) as has been made by the petitioner arise from the above benefit and the same is not granted to them, it would be open to the petitioner to avail of other benefit(s) in accordance with law.

(AUGUSTINE GEROGE MASIH)
JUDGE

21st April, 2023

Sonia Puri

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No