

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

CWP No.24984 of 2019 (O&M)

Date of Decision :12.12.2023

Priyank Gupta

.....Petitioner

Versus

State of Haryana and others

..... Respondents

**CORAM: HON'BLE MR.JUSTICE ARUN PALLI, JUDGE
HON'BLE MR.JUSTICE VIKRAM AGGARWAL, JUDGE**

**Present : Mr. Sanjiv Kumar Yadav, Advocate for
Mr. Shadab Ahmad, Advocate for the petitioner.**

Mr. Deepak Bhardwaj, DAG, Haryana.

**Mr. Ankur Mittal, Advocate with
Ms. Kushaldeep Kaur, Advocate for respondent No.2.**

ARUN PALLI, J. (Oral):

The petitioner herein has prayed for the following substantive relief:-

**“Civil Writ Petition under Article 226/227 of the
Constitution of India for issuance of an appropriate writ,
order or direction to grant refund/rebate of 20% on the
enhanced/additional cost of the plot paid by the petitioner
as per the terms and conditions of the respondent;**

**and/or pass any appropriate writ, order or
direction which this Hon’ble Court may deem just and
proper in the facts and circumstances of the present case.”**

Learned counsel for the petitioner submits that even qua the amount deposited by the petitioner towards the additional cost demanded by the respondents owing to enhancement of compensation granted by the Court as regards the acquired land he was entitled to refund/rebate of 20%. In support of his claim he has relied upon a decision of the **Supreme Court 2017(2) SCC 536 Hamdard Laboratories Vs. Haryana State Industrial**

and Infrastructure Development Corporation and Ors.

Learned counsel for respondent No.2 submits that in the wake of the stand set out in the written statement, filed on behalf of respondent No.2, claim of the petitioner is seriously disputed. But he submits that it would still be expedient if the petition is disposed of, at this stage, to enable the competent authority to examine the claim/grievance of the petitioner and pass necessary orders in accordance with law.

Learned counsel for the petitioner is agreeable to the course suggested by learned counsel for respondent No.2 and submits that let the petition be disposed of in terms of the statement made by him. However, he submits that authorities be directed to do the needful within a specified time.

To this, learned counsel for respondent No.2 submits that competent authority shall pass the necessary orders within a period of 8 weeks from today and shall communicate the decision to the petitioner.

In the wake of the position, as sketched out above, the petition is accordingly disposed of, in terms of the statement made by learned counsel for the parties.

This Court is sanguine that the competent authority would consider the claim of the petitioner in the right earnest. And the appropriate orders shall be passed within the time indicated by learned counsel for respondent No.2.

Needless to assert that this order shall not constitute an expression of opinion on the merits of the case of either party, for, as indicated above, the authority shall examine the grievance of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

12.12.2023

Manoj Bhutani

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