

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

114

2024:PHHC:024699

RSA-1787-1992  
Date of decision: 22.02.2024

SECTOR 14 WELFARE ASSOCIATION & ORS.

..Appellants

Versus

HARYANA URBAN DEV. AUTHORITY & ORS.

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Amit Jain, Sr. Advocate  
with Mr. Varun Prakash, Advocate  
for the appellants.

Mr. Ashok Gupta, Advocate  
and Sh. Eklavya Gupta, Advocate  
for respondents.

ANIL KSHETARPAL, J(Oral)

1. The appellant before this Court is an Association of allottees of residential plots of Sector 14 of Urban Estate, Sonipat. The Association along with certain other allottees have filed a suit for rendition of accounts and for grant of decree of permanent injunction restraining the defendants from recovering the amount of enhanced compensation, which was paid by the respondent to the landowners.
2. In fact, the plaintiffs and its members have been allotted plots by Haryana Urban Development Authority (hereinafter referred to as the 'HUDA'), which is an instrumentality of the State. As per the allotment letter, the price charged from the allottees is tentative, subject to further payment based upon the amount of enhancement by the Court in the claim petitions filed by the landowners, whose land has been acquired to develop the sector.

3. Subsequently, the Court enhanced the compensation payable to the landowners which was required to be paid by HUDA. Consequently, recovery notices were issued to the allottees, which were challenged in the Civil Court.
4. The First Appellate Court relied upon the judgment passed by the Supreme Court in Charanjit Bajaj and another Vs. State of Haryana, 1987 CLJ, 470 and Full Bench judgment passed in Chandermani Vs. Haryana Urban Development Authority, ILR (1992) 2 P&H 347, held that the allottees are liable to pay the enhanced amount, which has been paid/or has become payable by the Haryana Urban Development Authority to the landowners.
5. The learned counsel representing the appellant failed to draw the attention of the Court to any change in law during all these years.
6. Hence, no ground to interfere is made out.
7. Dismissed accordingly.
8. All the pending miscellaneous applications, if any, are also disposed of.

February 22<sup>nd</sup>, 2024

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(ANIL KSHETARPAL)  
JUDGE

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