

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

1.

CWP-25007-2019(O&M)
Date of decision: 14.02.2024

Sumer Chand Jain and another

... Petitioners

Versus

State of Haryana and others

... Respondents

2.

CWP-14310-2021(O&M)

Padia Exports Pvt. Ltd.

... Petitioner

Versus

State of Haryana and others

... Respondents

3.

CWP-14314-2021(O&M)

Padia Exports Pvt. Ltd.

... Petitioner

Versus

State of Haryana and others

... Respondents

4.

CWP-25017-2019(O&M)

M/s Ketan Overseas Pvt. Ltd.

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON’BLE MR. JUSTICE ARUN PALLI
HON’BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Akshay Bhan, Senior Advocate, with
Mr. A.S. Talwar and Mr. A.S. Rawaley, Advocates,
for the petitioners (in CWP-25007-2019 & CWP-25017-2019).
Mr. ADS Sukhija, Advocate, and
Mr. Ish Karan Singh Chhabra, Advocate,
for the petitioners (in CWP-14310-2021 & CWP-14314-2021).
Mr. Ankur Mittal, Addl. AG, Haryana, and
Ms. Kushaldeep Kaur, Advocate,
for the respondent(s)-State; and
for the respondent(s)-HSI IDC (in CWP-14310-2021 & CWP-
14314-2021)
Mr. Rajesh K. Sheoran, Advocate,
for the respondent(s)-HSI IDC (in CWP-25007-2019).

for the respondent(s)-State; and
for the respondent(s)-HSI IDC (in CWP-14310-2021 & CWP-14314-2021)

Mr. Rajesh K. Sheoran, Advocate,
for the respondent(s)-HSI IDC (in CWP-25007-2019).

ARUN PALLI, J. (Oral)

For the matter in issue in this bunch of 4 petitions is identical, the same are being disposed of by a common order and judgment. However, the facts are being derived from CWP-25007-2019 (**Sumer Chand Jain and another v. State of Haryana and others**).

Pursuant to an advertisement issued by the respondent-Corporation, industrial plots/sites were allotted in Industrial Estate, Kundli (Karnal) on 22.08.2007. However, for the petitioners were alleged to have failed to execute the project, for which the allotments were made, the Corporation ordered resumption of the allotted sites/plots on 31.10.2011. As the appeal preferred against the order of resumption was dismissed on 08.12.2011, the petitioners approached this Court vide CWP-10785-2012. The said petition was disposed of by this Court on 07.05.2018, to enable the petitioners to invoke the dispute resolution clause.

For the claim of the petitioners was found to be devoid of merit, the Dispute Settlement Committee in its meeting held on May 1, 2019, declined to intervene in the matter. However, learned counsel for the parties are *ad idem* that before arriving at any such decision, the Committee neither afforded any opportunity nor heard the petitioners. The fact that finds resonance even in the affidavit filed by Special Secretary (for Additional Chief Secretary) to Government of Haryana, Industries and Commerce Department, dated 28.01.2020.

Accordingly, it is urged that in the wake of the limited issue that arises for consideration, it would rather be expedient if the Dispute Settlement Committee is required to re-visit the issue. And after hearing all the stakeholders take a conscious decision in the matter, and pass orders afresh.

Learned Additional Advocate General, Haryana submits that petitioners would be duly notified the specific date to appear before the Dispute Settlement Committee, and the necessary communication in this regard would be issued within two weeks from today.

And, for the matter has been pending for a considerable long time, learned Senior counsel for the petitioners submits that respondent authorities as also the Dispute Settlement Committee be directed to consider and decide the same within a specified time.

In response, learned Additional Advocate General submits that in every likelihood, after the process is initiated by the Dispute Settlement Committee, the necessary orders shall be passed within a period of eight weeks.

In the wake of the position sketched out above, we are not required to delve any further into the merits of the case(s). And, the petitions are accordingly disposed of in terms of the statements made by learned counsel for the parties.

This Court is sanguine that the Dispute Settlement Committee shall consider the matter in the right earnest and pass appropriate orders in accordance with law.

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated

above, the Committee shall examine the concerns/grievances of the petitioners,
strictly in accordance with law.

(Arun Palli)
Judge

(Vikram Aggarwal)
Judge

14.02.2024
Rajan

Whether speaking / reasoned:	YES/NO
Whether Reportable:	YES/NO