



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

210

**CWP-29830-2018 (O&M).
Date of Decision: 26.11.2025.**

Lt. Col. Mehar Chand and others

....Petitioners.

VERSUS

State of Haryana and others

....Respondents.

**CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr. Pankaj Yadav, Advocate for the petitioners
(Through Video Conferencing).

Mr. Gaurav Jindal, Additional Advocate General, Haryana.

Mr. Deepak Sabherwal, Advocate for respondents No.2 and 3.

ANUPINDER SINGH GREWAL, J. (Oral)

The petitioners have *inter-alia* challenged the Circular dated 25.06.2018 (Annexure P-1), whereby the respondents-HSVP are seeking to recover the enhanced compensation in the ratio of 50%, 30% and 20% from the ground-floor, first floor and second-floor owners respectively.

2. Learned counsel for the petitioners submits that the action of the respondents in recovering 50% of the enhanced compensation from the owners of the ground floors, while recovering only 30% and 20% from the owners of the first floors and second floors respectively, is arbitrary and unreasonable. The respondents have even issued Share/Division certificates to the plot owners wherein each floor-owner is identified as having share of 33.33% and a copy of the communication is at Annexure P-2. He submits that

the respondents ought to recover the enhanced compensation in equal proportion from the owners of the ground floors, first floors and second floors.

3. Learned counsel for the respondents No.2 and 3-HSVP while relying on the written statement submits that the petitioners have purchased the ground floors from the original allottees and in the communication issued to them at the time of floor-wise division, it was mentioned that the same was subject to the terms and conditions stipulated therein. The apportionment of land cost/compensation is being worked out in terms of the instructions issued by the respondents from time to time. The value of the ground floors is higher while the value of the first and second floors proportionately is much lower. He further submits that policy making process falls within the domain of the executive.

4. Heard.

5. The petitioners have not been able to substantiate that the action of the respondents in seeking to recover the enhanced land compensation from the owners by apportioning it at the rate of 50% for the ground floor, 30% for the first floor and 20% for the second floor, is unreasonable and arbitrary. We take judicial note of the fact that ordinarily the value of the ground floor is higher than the value of the upper floors. It is trite that the policy decision taken by the respondents is not to be lightly interfered unless it is demonstrated that the same is arbitrary and discriminatory.

6. In view of the above, we do not find any illegality in the impugned circular dated 25.06.2018 issued by the respondents in apportioning

the enhanced cost in the manner set out therein. Consequently, the writ petition being devoid of merit stands dismissed.

7. Pending application(s), if any, also stand disposed of accordingly.

(ANUPINDER SINGH GREWAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

26.11.2025
jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No