



**CM-1503-LPA-2026;
CM-6691-LPA-2024;
CM-6692-LPA-2024;
CM-6693-LPA-2024 in/and
LPA-2744-2024**

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

(110+242)

**CM-1503-LPA-2026;
CM-6691-LPA-2024;
CM-6692-LPA-2024;
CM-6693-LPA-2024 in/and
LPA-2744-2024
Date of Decision : April 27, 2026**

Jatinder Kumar through LR Swapnil

.. Appellant

Versus

Haryana Urban Development Authority and others .. Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR**

Present: Mr. Vivek Salathia, Advocate, for the appellant.

Mr. Aman Mittal, DAG, Haryana.

Mr. Siddhant Arora, Advocate, for respondent-HSIIDC/HSVP.

HARSIMRAN SINGH SETHI J. (ORAL)

CM-1503-LPA-2026

Present application has been filed for placing on record the additional affidavit of the appellant along with Annexures A-7 to A-9.

Keeping in view the averments made in the application, which are duly supported by an affidavit, the application is allowed. Additional affidavit of the appellant as well as Annexures A-7 to A-9 are taken on record.



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CM-6691-LPA-2024

Present application has been filed seeking condonation of delay of 127 days in filing the appeal.

Keeping in view the averments made in the application, which are duly supported by an affidavit, the application is allowed. Delay of 127 days in filing the appeal is condoned.

LPA-2744-2024

1. Present appeal has been filed against the order dated 24.05.2023 passed by the learned Single Judge in CWP No.18073 of 2021 by which, the writ petition challenging the order dated 15.02.2022 passed by the State Consumer Disputes Redressal Commission, U.T. Chandigarh as well as the order dated 12.05.2009 passed by the National Consumer Disputes Redressal Commission, New Delhi, has been upheld.

2. At the outset, on being asked to point out the perversity in the impugned order either on the basis of facts on record or on law, learned counsel appearing on behalf of the appellant has not been able to show any such perversity.

3. It may be noticed that the earlier round of litigation between the parties on the said issue had already attained finality upto the National Consumer Disputes Redressal Commission, New Delhi (hereinafter referred to as 'National Commission') by way of order dated 12.05.2009 whereby revision petition filed by Jatinder Kumar (appellant herein) was dismissed holding that HSVP was free to charge the prevailing rate of plot at the time of allotment and after a period of more than 10 years, an M.A. bearing



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No.975 o 2019 was filed before the State Commission, U.T. Chandigarh and another M.A bearing No.753 of 2021 against order dated 13.01.2009 passed in appeal by the State Consumer Disputes Redressal Commission. The said applications were dismissed which led to the filing of the writ petition before the learned Single Judge and the learned Single Judge held that once, the allotment in favour of the predecessor in interest of the appellant stood cancelled and the said cancellation was upheld, the unilateral deposit of the further amount for purpose of allotment thereafter will not give a right to raise another round of litigation.

4. On said issue, it may be noticed that the learned Single Judge has also recorded the finding that the order passed by the authorities concerned is perfectly valid and legal including the order of resumption of said plot which has gone un-challenged at the hands of the appellant.

5. In the absence of any challenge to the resumption of plot, filing M.A and review application on earlier litigation and that too after a period of more than a decade, was not maintainable and such dismissal of the said application by the State Consumer Disputes Redressal Commission is perfectly valid.

6. Learned counsel for the appellant submits that there was no order of resumption.

7. It may be noticed that the learned Single Judge has recorded the finding on a fact that the said plot was resumed which fact has gone unchallenged at the hands of the appellant which shows that while availing



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the remedy of appeal, disputed question of fact is being brought forward to be adjudicated, which cannot be accepted.

8. In case the petitioner was aggrieved that the learned Single Judge has relied upon an incorrect fact to reach the conclusion for which, remedy of filing review is available which was though availed by the appellant herein but in vain as the review which was filed, has also been dismissed by the learned Single Judge.

9. Keeping in view the totality of the circumstances, as in the appeal, the interference can only be drawn in case the order is perverse either on facts or on law and in the absence of any perversity shown to this Court, no ground is made out for any interference by this Court in the facts and circumstances of the present case.

10. Accordingly, the appeal is dismissed.

11. Civil miscellaneous application pending if any, also stands disposed of.

**(HARSIMRAN SINGH SETHI)
JUDGE**

April 27, 2026
harsha

**(YASHVIR SINGH RATHOR)
JUDGE**

Whether speaking/reasoned : Yes
Whether reportable : No