

M/S Rhythm Polymers Pvt. Ltd. Vs. Haryana State Industrial and Infrastructural Development Corporation and

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SooperKanoon Citation : sooperkanoon.com/1054793

Court : Punjab and Haryana

Decided On : Jan-16-2013

Appellant : M/S Rhythm Polymers Pvt. Ltd.

Respondent : Haryana State Industrial and Infrastructural Development Corporation and

Judgement :

CWP No.5998 o

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

CWP No.5998 of 2011 Date of decision:

16. 1.2013 M/s Rhythm Polymers PVT.Ltd..Petitioner versus Haryana State Industrial and Infrastructural Development Corporation and another ..Respondents
CORAM: HON'BLE Mr.JUSTICE SATISH KUMAR MITTAL.

HON'BLE Mr.JUSTICE AMOL RATTAN SINGH.

Present: Mr.Rakesh Gupta, Advocate, for the petitioner.

Mr.Aman Chaudhary, Advocate, for the respondents..SATISH KUMAR MITTAL, J.

(Oral) Petitioner has filed the instant writ petition for quashing of the order dated 2.12.2010 (Annexure P-13) whereby representation made by the petitioner to waive the interest on transfer fee was rejected on the ground that there was no provision in the policy under which interest can be waived of.

Undisputedly, the petitioner has purchased the plot from M/s Logistic Fastners PVT.LTD.without getting permission from the department for transfer of the said plot.

For 5 yearRs.the petitioner remained silent and did not move any application for transfer of the said plot.

As per the anomaly guidelines, the persons who got the property without proper transfer are liable to pay 25% of the difference of current price and the original price.

It has not been disputed before us that 25% of the enhanced CWP No.5998 o

2. price was calculated @ Rs.1250/- per sq.

meter and earlier the respondents demanded said amount with interest @ 11% per annum w.e.f.11.7.2005 but in the written statement, a specific stand has been taken that not the said demand has been revised and the department is ready to accept the said amount with interest @ 11% per annum which will be charged from 30 days after the date of demand.

During the couRs.of arguments, it has been agreed that if the petitioner pays the difference @ Rs.1250/- per sq.

meter with interest @ 11% per annum from 5.6.2010, then the plot will be transferred in its favour.

Learned counsel for the petitioner after instructions submits that petitioner will make the said payment within three months from today.

On making the said payment within the said period, respondents undertake through their counsel to transfer the plot in question in favour of the petitioner

without any further incumbrance.

The writ petition is disposed of accordingly.

(SATISH KUMAR MITTAL) JUDGE 16 1.2013 (AMOL RATTAN SINGH) pk
JUDGE

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