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**Mela Ram Midha and Others Vs. Haryana Urban Development Authority
Panchkula and Another**

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Panchkula and Another**

SooperKanoon Citation : sooperkanoon.com/1069762

Court : Punjab and Haryana

Decided On : Aug-19-2013

Appellant : Mela Ram Midha and Others

Respondent : Haryana Urban Development Authority Panchkula and Another

Judgement :

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
C.W.P.No.307 of 1993 Date of Decision:-19.08.2013 Mela Ram Midha and others
.....Petitioners Versus Haryana Urban Development Authority, Panchkula and
anotherRespondents CORAM :- HON'BLE Mr.JUSTICE SATISH KUMAR
MITTAL HON'BLE Mr.JUSTICE MAHAVIR S.

CHAUHAN.

Present:- Mr.Sarwan Singh, Sr.Advocate with Mr.N.S.Rapri, Advocate for the
petitioners.Mr.Ajay Nara, Advocate for respondents.

**** SATISH KUMAR MITTAL, J.(Oral) Petitioners have purchased commercial
site SCO No.14, Sector 25, Panipat, in an open auction for a sum of Rs.6,27,000/-.

At the time of auction 10% amount was deposited by the petitioners as earnest
money and after issuance of allotment letter remaining 15% amount was also paid
by them within the stipulated period.

As per the allotment letter remaining 75% amount was to be paid in eight half yearly installments.

When the petitioners did not pay the installments in time, show cause notices dated 25.6.1992 and 24.12.1992 were issued to him.

Against those notices the instant writ petition has been filed.

Saini Reema 2013.08.20 15:46 I attest to the accuracy and integrity of this document Chandigarh C.W.P.No.307 of 1993 -2- The petitioners contested the claim of respondents of charging interest.

The contention of the petitioners is that they were not liable to pay interest on the delayed payment of installments as there was no development in the area.

Learned counsel for the petitioners has also relied upon the decision of this Court in LPA No.933 of 2009 titled as Haryana Urban Development Authority and another Versus Vinot Mittal and otheRs.decided on 16.10.2012.

During the couRs.of hearing both the parties have agreed that this petition be disposed of with liberty to the petitioners to make detailed reply to the aforesaid show cause notice and respondent No.2-Estate Officer be directed to consider and decide the said notice after considering the reply and providing an opportunity of hearing to the petitioners and after taking into consideration the aforesaid decision of this Court.

Disposed of accordingly.

(SATISH KUMAR MITTAL) JUDGE 19 08.2013 (MAHAVIR S.

CHAUHAN) reema JUDGE

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