

To

1. All the Administrator,
HUDA(In the State).
2. All the Estate Officer,
HUDA(In the State).

Subject:- Charging of enhanced compensation in respect of alternative plots allotted in the alternative sectors.

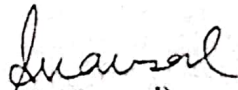
Please refer to the instructions issued vide this office letter no.27161-84 dated 5.6.2013 on the subject cited above.

The matter of charging of enhanced compensation in respect of alternative plots allotted in the alternative sector was taken up by the Hon'ble High Court in CWP No. 2759 of 2013 titled as Mahender Pal Jain Vs. HUDA wherein it was stated that in case of enhancement of price due to enhancement of acquisition cost, the said enhancement will be charged at the rate of sector where the alternative plot has been allotted. The Hon'ble High Court has ordered that charging the enhanced price of the sector where the alternative allotment is to be made is fair and reasonable. Therefore, it was stated in the Hon'ble High Court that necessary modification in the policy/instructions in this regard will be made by HUDA.

Accordingly, in supersession of the policy/instructions issued vide letter no.27161-84 dated 5.6.2013, it is hereby clarified as under:-

- I. As per above said instructions dated 5.6.2013, it was decided that in case of allotment of alternative plot in adjoining/different sector, enhanced price shall be charged of the sector where original plot was allotted because allotment of alternative plot is on the same term and conditions.
- II. Some of the allottees filed civil writ petitions in the Hon'ble High Court stating that they are not liable to pay enhancement of the original sector because they are no longer allottees of that sector. These writ petitions were clubbed with CWP no. 2759 of 2013 and during the course of hearing it was observed by the Hon'ble High Court that in case of allotment of alternative plot in different sector, enhanced price should be charged of the sector where alternative plot has been allotted to the allottees.

III. In view of the observations of the Hon'ble High Court, it has been decided that henceforth in all cases where alternative plot is allotted in different sector, enhanced price shall be charged of the sector where alternative plot has been allotted. This decision has also been endorsed by the Hon'ble High Court in the order dated 8.8.2013 passed in CWP No.2759 of 2013.

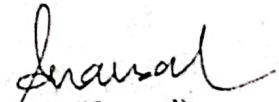

(S.C. Kansal),
Chief Controller of Finance,
for Chief administrator, HUDA
Panchkula.

Endst.No.HUDA-CCF-Acctt-II-2013/43646-55

Dated:- 26/11/13

A copy of the above is forwarded to the following for information and necessary action:

1. PA/CA, HUDA, Panchkula for the information of Chief Administrator, HUDA.
2. Secretary, HUDA, Panchkula.
3. Chief Engineer-I & II, HUDA.
4. Chief Town Planner, HUDA.
5. STP(M)/ST(N)/Incharge of Urban Branch.
6. District Attorney, HUDA.
7. General Manger (IT), HUDA.
8. Deputy ESA, HUDA.


(S.C. Kansal),
Chief Controller of Finance,
for Chief administrator, HUDA
Panchkula.