

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) D.No(s).3053/2006

(From the judgement and order dated 11/08/2005 in RSA No. 1642/2005
of The

HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

HARYANA URBAN DEVELOPMENT AUTHORITY

Petitioner(s)

VERSUS

DHARAM PAL GUPTA

Respondent(s)

(With prayer for interim relief and office report)

Date: 01/12/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE AR. LAKSHMANAN

HON'BLE MR. JUSTICE ALTAMAS KABIR

For Petitioner(s)

Mr. Ajay Siwach, Adv.

Mr.T.V.George,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

We have perused the order passed by the High Court. The High Court has categorically held that once the area has not developed nor the possession has been delivered in terms of the allotment letter Ex.P3, the plaintiff-appellant were not entitled to demand any interest. The non payment of interest, therefore, could not constitute a ground for resumption of the plot allotted to the respondent herein.

We have also perused the judgments rendered by the other two courts below. All the three Courts have concurrently held that there is deficiency in service. In our view, it is not a fit case for entertaining special leave petition. We, therefore, dismiss the special leave petition.

(A.D. Sharma) (Phoolan Wati Arora)
Court Master Court Master