

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.8366 OF 2009

U.P.AVAS EVAM VIKAS PARISHAD
LUCKNOW, U.P. & ANR.

...Appellants

VS.

RAGHUBIR SINGH & ORS.

...Respondents

WITH

CIVIL APPEAL NO.8390 OF 2009

O R D E R

We have heard the learned counsel appearing for the parties and perused the impugned judgment and order dated 18th September, 2006 passed by the High Court of Uttarakhand at Nainital.

The High Court, by the impugned order, has set aside the demand of development charges and interest thereon, total amounting to Rs.3,94,731/- on the ground that in paragraphs 3 and 4 of the counter affidavit filed by the appellants herein before the High Court, it has been specifically admitted by the appellants that no development work was undertaken over the land of the respondents. In the counter affidavit filed before the

High Court, nothing has been stated as to what development work has been undertaken in respect of the Scheme of which the respondents' land form part.

In that view of the matter, we are of the considered opinion that the High Court had rightly quashed the demand of development charges along with interest. The appeals fail and are, accordingly, dismissed.

.....J.
[R.K. AGRAWAL]

.....J.
[ABHAY MANOHAR SAPRE]

New Delhi;
September 7, 2017.

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

Civil Appeal No(s). 8366/2009

U.P. AVAS EVAM VIKAS PARISHAD LUCKNOW, U.P & ANR. Appellant(s)

VERSUS

RAGHUBIR SINGH & ORS.

Respondent(s)

WITH

C.A. No. 8390/2009

Date : 07-09-2017 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.K. AGRAWAL

HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE

For Appellant(s) Mr. Gaurav Singh, Adv.
Mr. Vishwajit Singh, AOR
Mr. Abhijit Sunny, Adv.For Respondent(s) Mr. Kailash Pandey, Adv.
Mr. Ranjeet Singh, Adv.
For Mr. Gaichangpou Gangmei, AORUPON hearing the counsel the Court made the following
O R D E R

Heard learned counsel appearing for the parties.

The appeals are dismissed in terms of the signed order.

Pending application, if any, stands disposed of.

(ANITA MALHOTRA)
COURT MASTER(CHANDER BALA)
COURT MASTER

(Signed order is placed on the file.)