

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION NO. 7 OF 2014

IN

CIVIL APPEAL NO. 9 OF 2009

BALJIT SINGH
NT(S)

...APPELLA

VERSUS

IMPROVEMENT TRUST LUDHIANA & ANR.
NT(S)

...RESPONDE

O R D E R

1. This application has been filed seeking directions for allotment of a plot to the applicant-appellant in the civil appeal at the circle rate or the Deputy Commissioner rate as prevalent on the date of the order of this Court dated 6th January, 2009 disposing of the civil appeal.

2. The challenge in the appeal was against the order of the High Court affirming the order of the Improvement Trust cancelling the transfer of an allotment made in favour of the

Signature Not Verified

applicant-appellant. While negating the challenge

Digitally signed by
Madhu Bala

Date: 2015.01.15
14:08:20 IST

Reason: made by the appellant, this Court directed as

follows:

"the said Chairman to reconsider the case of the appellant in the light of the submissions made on his behalf that he was willing to pay such additional amount as may be levied for a fresh allotment of the plot in question in his favour, after

giving the appellant a reasonable opportunity of being heard, in the event the said plot has not been re-allotted in the meantime. Such consideration must be completed by the Chairman of the Trust within two months from the date of communication of this order and in the event the plot in question has not been re-allotted, the same shall not be re-allotted until a decision is arrived at in terms of the directions given in this order".

3. Contending that the appellant is entitled to be allotted a plot at the circle rate or Deputy Commissioner rate, this application has been filed.

4. The Improvement Trust has offered the allotment to the applicant-appellant at the rate of Rs.31,000/- per square yards which, according to the Trust, has been determined by a Committee appointed to go into the issue. According to the Improvement Trust, the

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market Value of the plot as on the date of this Court's order dated 6th January, 2009 would be and Rs.45,000/-.

5. Having read and considered the order of this Court dated 6th January, 2009 we cannot understand the directions extracted above to have vested in the applicant the right to receive allotment of the plot either at the circle rate or Deputy Commissioner rate. It is in our considered view that the offer made by the Improvement Trust to make the allotment at the reduced rate i.e. Rs.31,000/- is fair and reasonable and the applicant, if so opts, may within three months from today accept the said offer made by the Improvement Trust at the above rate i.e. Rs.31,000/- per square yard.

6. I.A. is disposed of accordingly.

.....J.

