

To

1. The Administrator,
HSVP, Faridabad.
2. The Estate Officer- I & II,
HSVP, Faridabad.

CIR
176732
41814

Y
10/05/25
Mr. Rakesh

NO.HSVP-CCF-AO-II-2025/**Dated:**

Subject:- Speaking order is passed in compliance of interim order dated 21.05.2025 in CM no. 7577-CWP-2025 in CWP No. 29775 of 2017 titled as Seema Gupta And Others v/s State Of Haryana And Others and in COCP No. 1694 of 2021 titled as Radha Krishan Pant & others Vs. Ajit Balaji Joshi and others.

1. Please refer to the subject cited above.
2. Please find enclosed herewith the copy of speaking order passed by the Chief Controller of Finance, HSVP, Panchkula in compliance of interim order dated 21.05.2025 in case of CM no. 7577-CWP-2025 in CWP No. 29775 of 2017 titled as Seema Gupta And Others v/s State Of Haryana And Others and in COCP No. 1694 of 2021 titled as Radha Krishan Pant & others Vs. Ajit Balaji Joshi and others.

DA/As above:

Accounts Officer
for Chief Controller of Finance,
HSVP, Panchkula

Endst.No.HSVP-CCF-AO-II-2025/- 252186**Dated: 30.06.2025**

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

1. The Legal Remembrancer, HSVP, Panchkula with the request to take necessary action as per speaking order and appraised the Hon'ble apex Court.
2. The CITO, HSVP, Panchkula for uploading the same on the HSVP website.

Accounts Officer
for Chief Controller of Finance,
HSVP, Panchkula

HARYANA SHEHRI VIKAS PRADHIKARAN

Speaking order

This Speaking order is passed in compliance of interim order dated 21.05.2025 in CM no. 7577-CWP-2025 in CWP No. 29775 of 2017 titled as Seema Gupta And Others v/s State Of Haryana And Others and in COCP No. 1694 of 2021 titled as Radha Krishan Pant & others Vs. Ajit Balaji Joshi and others.

The Hon'ble High Court pleased to pass the following interim order dated-21.05.2025 which is reproduced as under-

"The present application for preponment has been filed on behalf of applicant-respondents stating therein that against the order dated 21.11.2019, the contempt proceedings are pending before the Contempt Court. The non-applicant-petitioners challenged the demand notice dated 24.11.2017 on different grounds, including that the petitioners are being denied the benefit of the Scheme dated 21.08.2019. They had placed reliance upon Clause 2 (XVI) of the aforesaid Scheme, which reads as under:-

"The charging of interest @ 15% p.a. for the period intervening date of court's enhancement order and date of calculation of additional price:- No Interest will be charged from the plot owners for the intervening period of court's order (ADJ, HC and SC) and date of communication of additional price by HSVP to the allottees. The burden on this account will be born by the Government/HSVP".

Learned counsel for the petitioners submits that the benefit arising out of the aforesaid policy was given to the other similarly placed persons i.e. petitioners in CWP-29816-2017 decided on 25.02.2020 and CWP-29543-2018 decided on 31.01.2020. While referring to Clause 2(X) of the Scheme, it is contended that the claim of the petitioners deserves acceptance qua the relief sought by them. A perusal of the file shows that on 21.11.2019, a Coordinate Bench of this Court passed the following order

"Learned counsel for the petitioners submits that in pursuance of latest policy dated 22.08.2019, demand notice dated 24.11.2017 (Annexure P-3) is liable to be set aside and the claim of the petitioners is to be reconsidered in view of amended policy. Accordingly, respondents No.3 and 4 are directed to reconsider the claim of the petitioners in view of amended policy dated 22.08.2019 and the necessary exercise be done within a period of three months. Adjourned to 20.02.2020."

As noticed above, the petitioners have initiated contempt proceedings for non-compliance of the aforesaid directions. In view of the aforesaid facts, we observe that if the respondent Authorities think it appropriate and take into account the provisions of 2019 Scheme, as referred to above, in terms whereof, the benefit as already been granted to the similarly placed writ petitioners of CWP-29816-2017 decided on 25.02.2020 and CWP-29543-2018 decided on 31.01.2020, they are at liberty to reconsider the matter and pass an appropriate order. The learned counsel

for the respondent-Authorities has undertaken that the matter will be reconsidered and an appropriate order will be passed. Put up on 09.07.2025 for further consideration.

To be shown in the urgent list. Since learned counsel for the respondents has given undertaking to this Court that the case of the petitioners will be reconsidered in the light of the facts as referred to above, the contempt proceedings before the Contempt Court be kept in abeyance, till the next date of hearing."

Whereas, on dated- 21.11.2019 the Hon'ble High Court passed the following order-

"Learned counsel for the petitioners submits that in pursuance of latest policy dated 22.8.2019, demand notice dated 19.12.2017 (annexure P-3) is liable to be set aside and the claim of the petitioners is to be reconsidered in view of the amended policy

Accordingly, respondents No. 3 and 4 are directed to reconsider the claim of the petitioners in view of amended policy dated 22.8.2019 and the necessary exercise be done within a period of three months"

Whereas, thereafter for the non-compliance of above mentioned order, out of 307 petitioners in CWP No. 29775 of 2017, following four petitioners filed COCP No. 1694 of 2021:-

- A. Radha Krishan Panth S/o Sh. Govind Ballabh Panth, R/o Plot No. 1054, Sector-46, Faridabad
- B. Sh. Raj Singh S/o Sh. Jai Karan, R/o Plot No. 1160P, Sector-46, Faridabad
- C. R.S. Kalia S/o Sh. Sita Ram Kalia, R/o Plot No. 689, Sector-46, Faridabad
- D. Anand Kumar Bhatnagar S/o Sh. L.D.D., R/o Plot No. 718, Sector-46, Faridabad

The Hon'ble High Court has passed the order dated- 09.02.2024 and the operative part of the same are as under:-

"Counsel for the respondents submits that the order dated 21.11.2019 passed in CWP-29775-2017 has duly been complied with and the petitioner could not be granted the benefit because he did not come forward to settle the matter under the OTS (One time settlement scheme) of the year 2022. Counsel for the petitioners has submitted that in fact, the direction was issued to the respondents to consider the case of the petitioner under the policy dated 22.08.2019. Therefore, it is obvious that the order has not been complied with

Adjourned to 23.04.2024.

Respondents are directed to file the compliance report on the next date of hearing. However, it is clarified that the Court will not accept any justification for non-compliance, even if the same is based on some perceived true facts. It is also clarified that even if some appeal is pending anywhere, that shall also not be taken as a justification for non-compliance, unless operation of the order is stayed by the Appellate Court. It is further ordered that if the order is not complied with, the respondents shall remain

personally present before this Court on the next date of hearing, to receive further orders in the contempt proceedings."

Whereas, in compliance of the order dated 09.02.2024, the then Estate Officer HSVP Faridabad appeared before the Hon'ble High Court on 23.04.2024 and the Hon'ble High Court passed the following order which is reproduced as under:

"Pursuant to the order of the previous date, respondent no. 2 is present in person in the court and has submitted that petitioners have been offered to settle the dispute. however, the petitioner have not come even to the office of the respondent. The petitioners have been offered the OTS (one time settlement scheme) to which the petitioner have not responded positively. Therefore, in the given circumstances, the respondents will now consider the case of the petitioners under the policy dated 22.08.2019 and pass an appropriate order very shortly. Adjournment is prayed for Adjourned to 28.08.2024."

Thereafter, the Estate Officer, HSVP, Faridabad passed the Speaking Order vide Memo No. 6544-49 dated 16.08.2024 rejecting the claims of the petitioners on the ground that out of 307 petitioners, 183 petitioners had availed the benefit of LFSS 2021 (Last and Final Settlement Scheme) and the four petitioners in COCP neither deposited the enhancement amount nor availed the benefit of LFSS. Therefore, after expiry of the said scheme, the petitioners are liable to pay the balance outstanding amount towards the additional price along with interest/delayed interest thereon as per the original calculation.

In compliance with the interim order dated 21.05.2025 passed by the Hon'ble High Court, the matter has been duly reconsidered. As per the report of Estate Officer HSVP, Rewari in CWP No. 29543 of 2018 and Estate Officer HSVP Panipat in CWP No. 29816 of 2017, there is no case where the benefit of the policy dated 22.08.2019 was extended retrospectively to the allottees. The benefits under Instruction No. 63 dated 22.08.2019 and Instruction No. 67 dated 04.12.2020 were extended only through specific enhancement schemes such as LFSS-2021, LFSS-2022, and VSSS-2024.

The agenda has been placed regarding this matter before the 128th Pradhikaran meeting held on dated- 10.06.2025 vide agenda item no.28 regarding implementation of instruction no. 63 dated- 22.08.2019 prospectively and in the meeting of Pradhikaran the agenda has been approved in which it was decided that the implementation of instruction no. 63 dated- 22.08.2019 and instruction no.67 dated 04.12.2020 shall be done prospectively and the benefits related to these instruction these instructions shall be extended only through the applicable enhancement schemes, namely

LFSS-2021, LFSS-2022, and most recently VSSS-2024, which was applicable from 14.11.2024 to 30.06.2025.

As per the records available on the VSSS-2024 Portal, 40 nos. allottee have been availed the benefit of the scheme. Out of 4 petitioners in COCP no.1694 of 2021, only one petitioner, namely Sh. Anand Kumar Bhatnagar, availed the VSSS-2024 enhancement scheme(Annexure-I).

Further, out of 307 petitioners (including 4 Petitioners in COCP No.1694 of 2021) in CWP No. 29775 of 2017, the Estate Office, HSVP, Faridabad was passed the speaking order in above said case and mentioned that 183 petitioners had availed the benefit of LFSS-2021 (Last and Final Settlement Scheme).


Thereafter, 17 petitioners also availed benefit under VSSS-2024(Annexure-II) and settled their outstanding dues under the terms of the respective schemes (**Total 201 petitioners who have availed the benefit of the enhancement schemes**), which required the allottee to submit an undertaking stating:-

"The allottee shall withdraw the litigation initiated by him or through RWA etc assailing the demand of additional price by the HSVP, if any pending before any Court. By acceptance of this scheme, the allottee will be deemed to have consented to settle the litigation in this regard. The allottee shall have to submit an undertaking to the effect that he/she will withdraw such pending litigation and shall not file any litigation in future in regard to the demand of additional price of his plot, amount/interest paid etc. in respect of pending amount which is settled under this scheme".

Conclusion:

The instructions are to be applied prospectively only. The benefits of the said instructions were extended only through LFSS-2021, LFSS-2022, and VSSS-2024. The Petitioners who did not avail any of the enhancement schemes or failed to comply with their terms, including submission of undertaking or payment, remain liable to pay the outstanding additional price and applicable interest as per original calculations. Accordingly, the claims of the petitioners who have not availed any scheme or failed to comply with its terms are hereby rejected.

I hereby order accordingly.


Chief Controller of Finance,
HSVP, Panchkula

Annexure - I

VSSS 2024 | Haryana Shehri Vikas Pradhikaran,
Haryana

SrNo.	Plot Details	Category	Owner Name	PPM Outstanding	VSSS OS	Rebate	OS Correction Status	Pay Status
5	EO: FaridabadUE: FaridabadSector: 46Plot: 334P/GF	RESID	MR. NISHANT SHARMA	Enhancement: 718658.50Installment: 0.00Extension: 0.00Other: 0.00Fully Paid: 718658.50	509896.00	208762.50	Correct	Paid
29	EO: FaridabadUE: FaridabadSector: 46Plot: 161P	RESID	MITHLESH GUPTA	Enhancement: 1475943.00Installment: 0.00Extension: 0.00Other: 0.00Fully Paid: 1475943.00	571852.05	904090.95	Correct	Pending
54	EO: FaridabadUE: FaridabadSector: 46Plot: 432P	RESID	Ghanshyam Ahuja	Enhancement: 1548312.00Installment: 0.00Extension: 0.00Other: 0.00Fully Paid: 1548312.00	571852.05	976459.95	Correct	Paid
101	EO: FaridabadUE: FaridabadSector: 46Plot: 718	RESID	ANAND KUMAR BHATNAGAR	Enhancement: 570806.00Installment: 0.00Extension: 0.00Other: 0.00Fully Paid: 570806.00	273083.00	297723.00	Correct	Paid
152	EO: FaridabadUE: FaridabadSector: 46Plot: 307	RESID	ANITA -	Enhancement: 1385049.00Installment: 0.00Extension: 0.00Other: 0.00Fully Paid: 1385049.00	527863.44	857185.56	Correct	Pending
181	EO: FaridabadUE: FaridabadSector: 46Plot: 190P	RESID	KRISHAN KUMAR GOYAL	Enhancement: 1475943.00Installment: 0.00Extension: 0.00Other: 0.00Fully Paid: 1475943.00	571852.05	904090.95	Correct	Pending

VSSS Beneficiary who have availed the scheme							
Sr. No.	Urban Estate	Sector	Plot Number	Category	Sub Category	Name	Plot Status
1✓	Faridabad	46	87✓	Residential	1 Kanal	NEERAJ GUPTA	Allotted
2✓	Faridabad	46	97✓	Residential	1 Kanal	NEELAM BERI	Allotted
3✓	Faridabad	46	211✓	Residential	1 Kanal	SMT. SHASHI BALA SHARMA	Allotted
4✓	Faridabad	46	486✓	Residential	10 Marla	ASHISH AGGARWAL	Allotted
5✓	Faridabad	46	517✓	Residential	10 Marla	Dharmveer -	Allotted
6✓	Faridabad	46	540✓	Residential	10 Marla	MANISH KUMAR -	Allotted
7✓	Faridabad	46	628✓	Residential	6 Marla	VINOD KUMAR	Allotted
8✓	Faridabad	46	630P✓	Residential	6 Marla	RAJ BALA -	Allotted
9✓	Faridabad	46	636✓	Residential	6 Marla	PRAMOD KUMAR SHARMA	Allotted
10✓	Faridabad	46	718✓	Residential	6 Marla	ANAND KUMAR BHATNAGAR	Allotted
11✓	Faridabad	46	841P✓	Residential	4 Marla	RAM SINGH	Allotted
12✓	Faridabad	46	824✓	Residential	4 Marla	JAMADAR MALLAH	Allotted
13	Faridabad	46	1030✓	Residential	6 Marla	AMBIKA PRASAD DWIVEDI	Allotted
14	Faridabad	46	1086✓	Residential	6 Marla	LAXMI DEVI	Allotted
15✓	Faridabad	46	1161P✓	Residential	14 Marla	Sudesh Devi	Allotted
16✓	Faridabad	46	391✓	Residential	14 Marla	SANTOSH MALIK	Allotted
17✓	Faridabad	46	509A✓	Residential	10 Marla	RAJIV MANCHANDA	Allotted
18	Faridabad	46	297✓	Residential	14 Marla	SEEMA GOYAL	Allotted