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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP NO. 12531 of 2011
DATE OF DECISION: 8.9.2015.

Vinod Kumar and another **....Petitioners.**

vs.

State of Punjab and another **.....Respondents.**

CORAM: - HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: - Mr.D.D.Gupta, Advocate for the petitioners.

Mr. V. Ramswroop, Addl. AG, Punjab

Mr. Sandeep Punchhi, Advocate for respondent No. 2.

Rakesh Kumar Jain, J. (Oral).

The petitioners have prayed for a writ in the nature of mandamus, asking the respondents, to deliver possession of the commercial plot No. 3 situated at Sanour road, near main garbage dump, Patiala and also to sanction the building plan in accordance with the provisions of the Punjab Municipal Corporation Act, 1976 and the Patiala Municipal Corporation Building Bye-Laws, 1977.

During the course of hearing, learned counsel for respondent No. 2, on the basis of the letter dated 3.12.2014, addressed to the petitioners by the Joint Commissioner, Municipal Corporation, Patiala, showing their inability to deliver the possession offered for refund of the amount, deposited by the petitioners. Learned counsel for the petitioners submits that a sum of ₹ 15,62,400/- has been deposited besides 5% of the transfer fee i.e. ₹ 78,120/- and ₹ 29,783/- for approval of building plan. The total amount

comes to ₹ 16,70,303/-. He also submits that the aforesaid amount be

refunded with 12% interest from the date it has been deposited till the date of its realization.

The offer made by the petitioners has been accepted by the Respondent-corporation. Accordingly, the present petition is disposed of with the direction to respondent-Corporation to refund the amount of ₹ 16,70,303/- allegedly deposited by the petitioners along with 12% simple interest from the date the said amount was deposited till the date of its realization. The amount shall be refunded along with interest to the petitioners within a period of one month from the date of receipt of certified copy of this order.

(RAKESH KUMAR JAIN)
JUDGE

8.9.2015
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