

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP No. 15885 of 2015

Date of decision: 04.08.2015

M/s Luxmi Devi and Sons

...PETITIONER

VS.

Union of India and others

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. D.K.Tuteja, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court with a grievance that despite having accepted the liability with regard to the excessive amount paid by the petitioner to the respondents amounting to ₹ 3,32,960/-, the said amount is not being refunded to the petitioner. With regard to the acceptance of the liability by the respondents, he has referred to the communication dated 11.01.2011 (Annexure P-1). Petitioner had been approaching the respondents for refund of the excessive amount deposited by the petitioner by way of various representations, copies of which have been appended as Annexures P-2 and P-3 but till date, the amount due to the petitioner has not been refunded.

Counsel for the petitioner states that the petitioner, at this stage, would be satisfied if a direction is issued to the Divisional Railway Manager, Northern Railways, New Delhi-respondent No. 3 to consider and decide the claim of the petitioner, as has been projected by the petitioner in its representations dated 29.10.2014 and 07.01.2015 (Annexures P-2 and P-3 respectively), within some specified time.

In the light of the statement made by the counsel for the petitioner and without going into the merits of the case or commenting thereon, the present petition is disposed of with directions to the Divisional Railway Manager, Northern Railways, New Delhi-respondent No. 3 to consider and decide the claim of the petitioner, as has been projected by the petitioner in its representations dated 29.10.2014 and 07.01.2015 (Annexures P-2 and P-3 respectively), within a period of one month from the date of receipt of certified copy of this order.

In case the claim of the petitioner is accepted, the consequential benefits be released to the petitioner, in accordance with law, within a further period of three weeks. Decision so taken be conveyed to the petitioner forthwith.

August 04, 2015
pj

(AUGUSTINE GEORGE MASIH)
JUDGE