

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 16191 of 2015

Date of Decision: 7.8.2015

Sandeep Singh Bhatia

....Petitioner.

Versus

Haryana Urban Development Authority (HUDA), Panchkula and another
...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MRS. JUSTICE REKHA MITTAL.**

PRESENT: Ms. Trishu Singh, Advocate for the petitioner.

AJAY KUMAR MITTAL, J.

1. In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioner has prayed for issuance of a writ in the nature of Mandamus directing the respondents to refund an amount of ₹ 14,08,000/- with interest @ 18% per annum from the date of deposit as the respondents have withheld the said amount even after completion of the auction proceedings on 29.1.2013.

2. The respondents vide advertisement dated 29.1.2013 (Annexure P-1) held open auction of the commercial sites in Sectors 2 and 6, Bahadurgarh. In pursuance thereto, the petitioner deposited three demand drafts dated 24.1.2013 (Annexures P-2 to P-4) total amounting to ₹ 14,08,000/-. The petitioner remained unsuccessful and the aforesaid security money was required to be refunded by the respondents but despite of various representations, the said amount was not refunded to the petitioner. Thereafter, the petitioner moved a

representation dated 18.6.2015 (Annexure P-5) to respondent No.2 for refund of the money along with interest, but no response has been received till date. Hence, the present writ petition.

3. Learned counsel for the petitioner submitted that for the relief claimed in the writ petition, the petitioner has submitted a representation dated 18.6.2015 (Annexure P-5) to respondent No.2, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioner, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petition by directing respondent No.2 to take a decision on the representation dated 18.6.2015 (Annexure P-5), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner within a period of three months from the date of receipt of certified copy of the order. It is further directed that in case it is found that the petitioner is entitled to the amount, the same be paid to him within next two months, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

August 7, 2015
gbs

(REKHA MITTAL)
JUDGE