

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No.21494 of 2015 (O&M)

Date of decision:09.10.2015

Ajay Sharma

... Petitioner

v.

U.T. Chandigarh & another

... Respondents

CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Shailender Kashyap, Advocate for the petitioner.

Mr. Indresh Goel, Advocate for the respondents.

...

S.J. VAZIFDAR, ACTING CHIEF JUSTICE.

The petitioner has impugned a letter dated 07.08.2015 raising a demand of Rs.6,96,698/- on account of interest/penalty in respect of the property that had been allotted to him. The petitioner understandably and rightly does not want to prejudice his rights in respect of the property. He is, therefore, willing to make payment without prejudice his rights and contentions for refund if the amounts are not due and payable.

2. The petitioner is, therefore, at liberty to pay the amounts demanded without prejudice to his rights and contentions in this petition.

3. Under these circumstances, the writ petition is disposed of by the following order:

(i) The petitioner is at liberty to pay the amount of Rs.6,96,698/- towards full and final satisfaction of the amounts demanded by 30.11.2015. The respondents shall also accept the same on the condition that the

acceptance thereof shall not prejudice the rights and contentions of the petitioner.

(ii) Upon payment of amount as aforesaid, the respondents shall issue a formal allotment letter and put the petitioner in possession thereof within a period of four weeks of the payment by the petitioner.

(iii) The petitioner shall be entitled to make a representation demanding a refund of the amount which will be decided by the respondents in accordance with law within a period of 12 weeks of the receipt of the representation.

(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE

(TEJINDER SINGH DHINDSA)
JUDGE

09.10.2015
harjeet