

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No. 24678 of 2015 (O&M)

Date of Decision: 27.11.2015

Arun Kumar Johar

--Petitioner

Versus

The Chandigarh Housing Board & others

--Respondents

**CORAM:- HON'BLE MR.JUSTICE S.J. VAZIFDAR.
HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.**

Present:- Mr. M.S. Sindhu, Advocate for the petitioner.

S.J. VAZIFDAR, A.C.J. (Oral)

The allotment in favour of the petitioner was cancelled on account of his not having paid the entire amount as per the letter of allotment. The petitioner does not challenge the order of cancellation of the allotment. He merely seeks refund of the amount of 25% paid by him together with interest. The order cancelling the allotment is silent in this regard. The petitioner's representation dated 13.5.2013 Annexure P-9 (collectively) has not been responded to. Although, the petitioner does not challenge the order of cancellation per se he would be entitled to challenge it for the purpose of contending that there ought to be no forfeiture of the amount paid by him and for the refund thereof together with interest.

2. The petition is disposed of by directing the respondents to take a decision as to whether the amount paid by the petitioner ought to be refunded or not whether with or without interest within eight weeks from the date of receipt of a copy of this order.

Disposed of.

**(S.J. Vazifdar)
Acting Chief Justice**

**(Tejinder Singh Dhindsa)
Judge**

27.11.2015

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