

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.9639 of 2015

Date of Decision:- 15.05.2015.

Anita and another

.....Petitioners

Versus

Haryana Urban Development Authority, HUDA and another

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE P.B. BAJANTHRI**

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. S.S. Malik, Advocate for the petitioners.

SURYA KANT, J. (ORAL)

The petitioners are allottees of plot No.185, Sector 51, Urban Estate, Gurgaon. They aver that the above stated plot has been carved out in *khasra* No.9/19, *Hadbast* No.93 of village Bindapur and in respect thereto award No.8 dated 23.03.1993 was passed. They have further averred that though the entire amount of compensation paid by HUDA to the landowners in respect of that award was recovered from the petitioner and other allottees, they were still served with a notice and in response to that, the petitioners deposited an additional amount of ₹ 25,67,149/- vide receipt No.557 dated 12.04.2010, receipt No.7063 dated 19.09.2011 and receipts

Nos.15808 and 15809 dated 12.03.2012.

According to the petitioners, the additional amount recovered from them pertains to different award and piece of land, for which they were not liable to be burdened. The petitioners, accordingly, raised a claim for the refund of the excess amount changed from them vide representations dated 18.09.2013 and 19.09.2013 (Annexures P-7 and P-8). Finding no response, the instant writ petition has been filed.

Having heard learned counsel for the petitioners and in view of the nature of relief sought by them but without expressing any views on their entitlement, we dispose of this writ petition with a direction to the respondents to decide the above mentioned claim of the petitioners by passing a speaking order within a period of four months from the date of receipt of certified copy of this order. If the petitioners are found entitled to any refund, the same shall be made within a period of one month thereafter. However, in case the petitioner's case is rejected, they shall be at liberty to approach the appropriate forum.

(SURYA KANT)
JUDGE

(P.B. BAJANTHRI)
JUDGE

May 15, 2015.

sandeep sethi