

CWP No.17375 of 2016

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.17375 of 2016
Date of decision: 26.08.2016

Brahm Parkash and another

....Petitioners

Versus

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE RAMENDRA JAIN**

Present: - Mr. Rajesh Hooda, Advocate, for the petitioners.

AJAY KUMAR MITTAL, J. (ORAL)

Prayer in this petition filed under Articles 226/227 of the Constitution of India is for issuance of a writ in the nature of *mandamus* directing the respondents to refund the amount of ₹ 4,70,624/- with interest @ 12%, which has been charged from the petitioners as possession interest.

2. After arguing for some time, learned counsel for the petitioners submitted that this writ petition can be disposed of at this stage by permitting the petitioners to file a detailed and comprehensive representation before respondent No.3 raising all the pleas as have been sought to be raised herein. Further prayer has been made that a time bound direction be issued to respondent No.3 to decide the representation after affording an opportunity of hearing to the petitioners.

3. After hearing learned counsel for the petitioners, perusing the paper-book and without expressing any opinion on the merits of the controversy, we dispose of this writ petition by permitting the petitioners to file a detailed and comprehensive representation before respondent No.3

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within a period of one month from today. It is further directed that if any such representation is filed, same shall be decided by respondent No.3 within next two months after affording an opportunity of hearing to the petitioners by passing a speaking order in accordance with law. It is further directed that in case the petitioners are found entitled to any amount, same shall be released to them within next one month.

(AJAY KUMAR MITTAL)
JUDGE

(RAMENDRA JAIN)
JUDGE

26.08.2016
R.S.

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No