

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

CWP-2421-2016

Date of decision:- 08.02.2016

Baldev Singh

...Petitioner

Versus

Greater Mohali Area Development Authority

...Respondent

CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

Present: Ms. Savita, Advocate,
for the petitioner.

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

The petitioner at this stage merely seeks an order directing the respondent to consider his application dated 04.09.2015 (Annexure P-5).

2. The petitioner had earlier applied for and obtained an allotment of the flat. He paid all but the last installment. According to the petitioner, he was willing to pay the last installment, but was not given any assurance regarding the delivery or possession of the flat. Accordingly, he requested the respondent to return the amount. Immediately thereafter, the petitioner decided to go ahead with the allotment. The respondent, however, refunded the amount after deducting 10%.

3. The petition is, therefore, disposed of by directing the respondent to consider the petitioner's application/representation dated 04.09.2015 (Annexure P-5).

4. We would only add on our own that even in the event of the respondent not permitting the petitioner to withdraw his application and to continue with the allotment of the flat, the respondent may consider whether or not to refund the entire amount paid by the petitioner with or without interest.

5. The petitioner is always at liberty to challenge the order, if necessary.

(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE

(ARUN PALLI)
JUDGE

08.02.2016

Amodh