

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.149 of 2017

Date of Decision: 11.01.2017

Lt. Col. Vijay Kumar

... Petitioner

VS.

HUDA & Anr.

... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE SUDIP AHLUWALIA

Present: Mr. Anurag Chopra, Advocate for the petitioner

SURYA KANT, J. (Oral)

(1) The petitioner is an ex-Army Officer. He got allotted plot No.3138 in Sector 4, Part-II, Urban Estate, Hisar under the Defence Quota vide allotment letter dated 20.08.2009. The plot has been later on surrendered by him on 22.07.2015 apparently for the reason that the petitioner has got allotted more than one plots under the Defence Quota in violation of the Government policy. He has thereafter submitted representation dated 02.04.2016 (P8) followed by reminders on 23.07.2016 and 22.09.2016 seeking refund of the amount which was deposited against the allotment price. The petitioner claims that at best 10% of the amount can be forfeited as per the HUDA policy dated 14.12.1995 (P12).

(2) Having heard learned counsel for the petitioner and without expressing any views on merits of the petitioner's claim, we dispose of the writ petition with a direction to the respondents to decide the petitioner's representation dated 02.04.2016 in accordance with law/policy by way of a reasoned order within *three months* from the date of receipt of certified copy of this order. Needless to say that if the petitioner is found entitled to any refund, the due amount be refunded to him within the stipulated period.

(Surya Kant)
Judge

11.01.2017

vishal shonkar

(Sudip Ahluwalia)
Judge

1. Whether speaking/reasoned?
2. Whether reportable?

Yes / No
Yes / No