

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.224 of 2016 (O&M)

Date of Decision: 23.02.2017

Angrej Singh

... Petitioner

VS.

State of Punjab & Ors.

... Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR.JUSTICE SUDIP AHLUWALIA**

Present: Mr. Hitesh Verma, Advocate for the petitioner

Mr. Rajesh Bhardwaj, Addl. AG Punjab

Mr. Balwinder Singh, Advocate for respondents NO.3&4

SURYA KANT, J. (Oral)

(1) The petitioner was allotted residential plot No.307 measuring 300 sq.yards in Baba Farid University site at Bathinda vide allotment letter dated 11.06.2012. The petitioner belongs to Scheduled Caste community. He could not deposit 15% of the total sale consideration due to which the allotment was cancelled vide order dated 13.02.2013 and the Estate Officer forfeited the entire 10% amount which the petitioner had deposited as earnest money. The aggrieved petitioner filed appeal and revision petition but the same have also been turned down.

(2) When this writ petition came up for hearing on 08.01.2016, this Court issued notice of motion on the limited issue as to why the forfeited amount be not reduced.

(3) For the reasons assigned by this Court vide a separate order of even date passed in **CWP No.27370 of 2015 (Baldev Singh vs. State of Punjab & Ors.)**, this writ petition is allowed in part and the impugned order is modified to the extent that 5% of the amount deposited by the petitioner as earnest money

shall stand forfeited whereas the remaining 5% is directed to be refunded to him

within three months from the date of receipt of certified copy of this order failing which he will be entitled to interest @ 7% per annum.

(4) Ordered accordingly.

(Surya Kant)
Judge

23.02.2017
vishal shonkar

(Sudip Ahluwalia)
Judge

1. Whether speaking/reasoned?	Yes
2. Whether reportable?	No