

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.4616 of 2017.

Date of Decision: March 07, 2017

Nancy Verma

.....Petitioner

versus

State of Punjab and others

.....Respondents

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

Present: Mr.Gaurave Talwar, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The petitioner's grievance in the instant writ petition is against the levy of penal interest and service tax to the tune of Rs.3,90,640/- in respect of a 2 BHK apartment allotted to her in Phase-II, Dugri Road, Urban Estate, Ludhiana by the Greater Ludhiana Area Development Authority (for short, GLADA). While the petitioner's case is that allotment letter was not received by her bank, namely, State Bank of India, the GLADA has levied penal interest on the plea that allotment letter was sent and duly received by the Bank. For this reason alone, the petitioner's claim for the refund has been turned down by the Estate Officer by passing a self-speaking order dated 14.06.2016.

Since the contention raised by the petitioner involves a question of fact which can be effectively determined by the Chief Administrator, GLADA, we dispose of this writ petition with liberty to the petitioner to file an appeal before the Chief Administrator, GLADA within one month. If

such an appeal is filed then the Chief Administrator, GLADA is directed to entertain the same and decide it in accordance with law by way of a reasoned order within a period of four months from the date of its filing.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

March 07, 2017
mohinder

[SUDIP AHLUWALIA]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No