

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.8923 of 2017.

Date of Decision: April 28, 2017

Raj Kumar

.....Petitioner

versus

Housing Board, Haryana and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Rajpal Singh, Advocate, for
Mr.Johan Kumar, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The petitioner was allotted flat No.3446/LIG/GF in O.P.Jindal Housing Complex, Sector-4, Part-II, Hisar vide allotment letter dated 27.11.2012. The allotment was made by the Housing Board, Haryana in a draw of lots for total sale consideration of Rs.9,56,512/- out of which the petitioner deposited a sum of Rs.6,96,486/- in installments.

[2] The petitioner later on surrendered the flat on 26.02.2016 and sought refund of the amount deposited by him. The Housing Board refunded Rs.5,56,034/- and in this manner, about 30% of the amount deposited by the petitioner is said to have been deducted.

[3] The petitioner questions the above-stated deduction being arbitrary and illegal.

[4] We have heard learned counsel for the petitioner. In the absence of any reference to the Rules/Regulations, terms and conditions of the advertisement/information brochure or that of the allotment letter, it is difficult for this Court to form an opinion as to whether or not the above-stated deduction was justified.

[5] Since the petitioner has not approached the Competent Authority so far, we dispose of this writ petition without expressing any views on merits with a direction to the respondents to verify and decide the above-stated claim of the petitioner by way of a reasoned order within a period of two months from the date of receiving a certified copy of this order. For the afore-stated purpose, the writ petition be treated as a representation on behalf of the petitioner.

[6] The petitioner is directed to deposit two sets of the paper book with the Registry to be sent to the respondents alongwith a copy of this order.

[7] Ordered accordingly.

[8] Dasti.

[SURYA KANT]
JUDGE

April 28, 2017
mohinder

[SUDIP AHLUWALIA]
JUDGE

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