

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.13415 of 2018.

Date of Decision: August 28, 2018

Smt.Sushil Syan

.....Petitioner

versus

Punjab Small Industries and Export Corporation

.....Respondent

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Ram Sarup Dhanda, Advocate, for the petitioner.

-.-

Surya Kant, J. (Oral)

The petitioner applied for allotment of an industrial plot in Phase-IX, SAS Nagar Mohali in response to the advertisement dated 10.05.1990 which was published in daily newspaper 'The Tribune'. She also deposited the earnest money of Rs.7200/- alongwith application form being 10% cost of industrial plot measuring one kanal. The petitioner was not allotted the plot and being aggrieved, she approached this Court by way of CWP No.1837 of 1994. The said writ petition was finally dismissed by a Division Bench of this Court on 21.08.2014. The petitioner tried her luck in the Hon'ble Supreme Court but her SLP(C) No.32756 of 2014 was also dismissed on 20.03.2017. Thereafter, the petitioner made a representation on 05.04.2017 (P-1) seeking refund of the amount of Rs.7200/- deposited by her way back in the year 1990 alongwith the compound interest. She did not get any response, hence second representation was made on 29.12.2017 (P-2). The respondent-Corporation has taken no action on her application-cum-representations, hence this writ petition.

Having heard learned counsel for the petitioner and if the facts

as averred in the writ petition are found correct, it appears that the petitioner is entitled to refund of the earnest money alongwith interest as might have accrued on as the said amount was lying deposited in the account of the respondent-Corporation. The writ petition is thus disposed of at this stage without expressing any final views on merits, with a direction to the respondent-Corporation to verify the above-mentioned claim of the petitioner and take a decision regarding refund of the amount within a period of two months from the date of receiving a certified copy of this order.

Dasti.

[SURYA KANT]
JUDGE

August 28, 2018
mohinder

(SUDIP AHLUWALIA)
JUDGE

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

CWP No.13415 of 2018

[3]

104 CM Nos.12479 and 12480 of 2018 in
CWP No.13415 of 2018

- - -

Smt.Sushil Syan versus Punjab Small Industries and Export Corporation.

Present : Mr.Ram Sarup Dhanda, Advocate,
for the applicant-petitioner.

* * *

CM No.12479 of 2018

The application is allowed, as prayed for.

CM No.12480 of 2018

For the reasons mentioned in the application, the same is
allowed and the judgments dated 21.08.2014 and 20.03.2017 are taken on
record.

CM stands disposed of.

(SURYA KANT)
JUDGE

August 28, 2018
mohinder

(SUDIP AHLUWALIA)
JUDGE