

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-16451-2017

Date of Decision: September 20, 2018

Vineet Kumar Kalra

.....Petitioner

Versus

The Greater Mohali Area Development Authority and another

.....Respondents

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

Present: Mr.Harsh Manocha, Advocate for the petitioner.

Mr.Aman Sharma, Advocate for the respondents.

.....

SURYA KANT, J.(ORAL)

The petitioner is aggrieved by 10% deduction made out of allotment price on the surrendering of Purab Premium Apartment, Sector 88, SAS Nagar, Mohali. The petitioner is said to have surrendered the allotted apartment as GMADA failed to deliver physical possession of the same within the stipulated period. The impugned order has been passed by the Estate Officer, GMADA against which appeal is maintainable under Section 45(5) of the Punjab Regional and Town Planning and Development Act, 1995. The writ petition is, thus, disposed of at this stage relegating the petitioner to avail the remedy of appeal. It is directed that in case appeal is filed within one month from today, the Appellate Authority shall condone the delay and decide the appeal on merits. While deciding the petitioner's appeal, judgments passed by this Court from time to time in the matters

relating to refund of amount on surrender of Purab Premium Apartments shall be kept in view.

[2] The appeal be decided within a period of four months from the date of filing of the same.

**(SURYA KANT)
JUDGE**

September 20, 2018
meenuss

**(SUDIP AHLUWALIA)
JUDGE**

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