

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No. 23749 of 2015
Decided on : 19.03.2018**

Dr. R.C. Sharma

. . . Petitioner

Versus

Haryana Urban Development Authority and another

. . . Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

PRESENT: Mr. Pavan Malik, Advocate
for the petitioner.

Ms. Neha Rathi, Advocate for
Mr. Amar Vivek, Advocate
for the respondents - HUDA.

AJAY KUMAR MITTAL, J. (Oral)

The petitioner has approached this court under Articles 226/227 of the Constitution of India, seeking a writ in the nature of *Certiorari*, for quashing of the order dated 26.10.2013 (Annexure P-12), passed by respondent No.1 and also the order dated 30th March, 2009 (Annexure P-8), passed by respondent No.2 with further appropriate orders to the respondents to accept the payment from the petitioner in accordance with the letter dated 05.03.2010 (Annexure P-5) with appropriate interest. Besides, a prayer for direction to the respondents to reconsider the representation of the petitioner in accordance with the policy/principles on the basis of which the Letter of Intent dated 05.03.2002 (Annexure P-5) was issued, has also been made.

2. Learned counsel for the respondents-HUDA referred to the notice of motion order dated 05.11.2015, to urge that the petitioner had confined the prayer only for refund of all the amounts paid so far in respect of the original allotment i.e. Clinic Site No.C-4, Sector 10-A, Gurgaon.

3. Learned counsel for the petitioner submitted that he may be allowed to withdraw the present writ petition with liberty to the petitioner to approach the respondent-authorities for claiming the refund in respect of the Clinic Site No. C-4, Sector 10-A, Gurgaon. It was prayed that the petitioner be allowed to file a detailed and comprehensive representation for claim of the refund with regard to the aforesaid site. It was further prayed that a direction be given to the respondents to decide the said representation within a time bound manner.

4. Dismissed as withdrawn. It shall, however, be open to the petitioner to approach the respondent-authorities by filing a detailed and comprehensive representation for claiming the refund, within a period of one month from today. In case such a representation is filed, the same shall be decided by the respondent-authorities within a period of next three months after affording an opportunity of hearing to the petitioner and by passing a speaking order, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

March 19, 2018

J.Ram

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