

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.20340 of 2018.

Date of Decision: August 16, 2018

Tripti

.....Petitioner

versus

Haryana State Industrial and Infrastructure Development Corporation
Limited and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Deepak Sharma, Advocate, for
Mr.Pankaj Bali, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The husband of the petitioner was allotted double storey shop No.28, Sector-01, IMT Manesar, in an open auction for the sale consideration of Rs.3,27,00,000/-. The allotment was made on 18.06.2014. The husband of the petitioner is stated to have deposited 25% of the allotment price. He was meanwhile threatened by some criminals for extortion and eventually he was murdered on 09.03.2017, for which a case under Sections 302/34 IPC read with Arms Act has been registered at Police Station, Sector-10, Gurugram vide FIR No.223 dated 10.03.2017. After the death of the petitioner's husband, who was in the business of real estate, the petitioner is left with no means of livelihood. She has responsibility to look after two minor children aged 16 years and 12 years and is not in a position to deposit the balance amount for the site allotted to her deceased-husband. The petitioner consequently applied for refund of the amount deposited by her husband. Since no decision has been taken on her application, hence this writ petition.

Having heard learned counsel for the petitioner, it appears that keeping in view the peculiar changed and mitigating circumstances where the petitioner has lost her husband and the family is left with no means of livelihood, the petitioner's request for refund of the amount requires sympathetic consideration by the respondent-authorities. The writ petition is accordingly disposed of with a direction to the respondents to ascertain the facts as averred by the petitioner and take a compassionate view while considering her request for the refund of the amount and decide her representation dated 16.04.2018 (P-4) by way of a reasoned order within a period of three months from the date of receiving a certified copy of this order.

Dasti.

[SURYA KANT]
JUDGE

August 16, 2018
mohinder

(SUDIP AHLUWALIA)
JUDGE

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