

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-4105-2018

Date of Decision: 21.2.2018

Sandeep Kumar and others

....Petitioners .

Versus

The State of Haryana and others

...Respondents.

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

PRESENT: Mr. Shailender Mohan, Advocate for the petitioners.

AJAY KUMAR MITTAL, J.

1. In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioners have prayed for issuance of a writ in the nature of mandamus directing the respondents to refund the extension fee along with interest or to decide the legal notice dated 23.7.2017 (Annexure P-6).

2. The petitioners were owners in possession of the different categories of plots as is clear from the list (Annexure P-1) and one of the allotment letters dated 29.1.2013 (Annexure P-2). The petitioners filed a complaint before the District Consumer Disputes Redressal Forum, Hisar against the respondents for providing the basic amenities and the said complaint was allowed vide order dated 20.3.2009 (Annexure P-3). Against the order, Annexure P-3, the respondents filed an appeal before the State Consumer Disputes Redressal Commission, Panchkula which was dismissed

vide order dated 10.10.2011 (Annexure P-4). Against the order, Annexure P-4, the respondents filed revision before the National Consumer Disputes Redressal Commission, New Delhi and the said revision was also dismissed vide order dated 25.11.2013 (Annexure P-5). Accordingly, the petitioners served a legal notice dated 23.7.2017 (Annexure P-6) upon the respondents for refund of the extension fee along with interest, but no response has been received till date. Hence, the present writ petition.

3. Learned counsel for the petitioners submitted that for the relief claimed in the writ petition, the petitioners have sent a legal notice dated 23.7.2017 (Annexure P-6) to the respondents, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioners, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petition by directing respondent No.4 to take a decision on the legal notice dated 23.7.2017 (Annexure P-6), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioners within a period of three months from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

February 21, 2018
gbs

(ANUPINDER SINGH GREWAL)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No