

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

**CWP No. 6190 of 2018
Decided on : 14.03.2018**

Seema Rani

. . . Petitioner

Versus

State of Haryana and others

. . . Respondents

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

PRESENT: Mr. Rajnish K. Gupta, Advocate
for the petitioner.

AJAY KUMAR MITTAL, J. (Oral)

The prayer made in this writ petition filed under Articles 226/227 of the Constitution of India, *inter alia*, for quashing the impugned order dated 07.09.2016 (Annexure P-12), passed by respondent No.2, whereby, the claim of the petitioner for refund of the amount along with interest @ 19% per annum, with regard to plot No.03 allotted/purchased in open auction by the petitioner was rejected by respondent No.2, even without following the mandate of law as well as without appreciating the Haryana State Agricultural marketing Board (Sale of Immovable Property) Rules, 2000 (in short 'the Rules of 2000') and the petitioner has been given option to surrender the plot whereby 10% deduction on the total tentative price of the plot under Rule 5-A of the Rules of 2000 is required to be made illegal. A further prayer for directions to respondents No.2 & 3 to refund the amount deposited by the petitioner at the time of auction and subsequent thereto along with interest @ 19% per annum from the date of deposit till realization.

2. It was not disputed by the learned counsel for the petitioner that the impugned order 07.09.2016 (Annexure P-12) was revisable.

Accordingly, a prayer was made by the learned counsel for the petitioner that he may be allowed to withdraw the present writ petition with liberty to the petitioner to take recourse to the statutory remedy as available to her under the Punjab Agricultural Produce markets Act, 1961 (in short 'the Act of 1961'), as applicable to the State of Haryana.

3. In view thereof, the present writ petition stands dismissed as withdrawn. It shall, however, be open to the petitioner to take recourse to the remedies as may be available to her, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

March 14, 2018

J.Ram

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