

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

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**CWP-6089-2019 (O&M)
Decided on : 03.03.2021**

Deepak Sharma Advocate

... Petitioner

Versus

District Judge, Rohtak & others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr.Surinder Gandhi, Advocate, for the applicant/petitioner.

Mr.Shivendra Swaroop, AAG, Haryana.

(The proceedings are being conducted through video conferencing,
as per instructions.)

G.S. Sandhawalia, J. (Oral)

Prayer in the present writ petition, filed under Articles 226/227 of the Constitution of India is for issuance of directions to respondent No.3 to refund the Rs.3.5 lakhs deposited towards the cost of chamber constructed in the District Court Complex, Rohtak along with interest @ 18% per annum.

Despite service having been effected upon the District Bar Association, the said respondent has not come forth to contest the writ petition.

Counsel for the petitioner has pointed out that an application was filed on 29.04.2013 (Annexure P-1) along with a cheque of Rs.20,000/- as earnest money for allotment of chamber. Thereafter, on 01.09.2017, a sum of Rs.1 lakh was deposited which was followed up with deposit of Rs.50,000/- on 18.03.2017 and Rs.80,000/- on 17.03.2018 and the last instalment of Rs.1 lakh was deposited on 03.02.2018, as per receipts (Annexures P-2 to P-5). The draw of lots was held on 20.01.2019 but the name of the petitioner was not included in the list of eligible candidates. Thereafter, request was made to refund the said amount of Rs.3.5 lakhs on 19.02.2019 (Annexure P-6) but the same has not been done.

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Keeping in view the above facts, since the averments have gone uncontroverted, directions are issued to respondent No.3 to refund the amount of Rs.3.5 lakhs to the petitioner along with interest @ 7% per annum from 01.02.2019 since the draw of lots was conducted on 20.01.2019 but the name of the petitioner did not find mention in the list of eligible candidates. The said amount be paid to the petitioner within a period of 2 months from the receipt of the certified copy of this order.

Writ petition stands allowed, in the above-said terms.

MARCH 03, 2021
sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No