

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

109 - CWP-9778-2021 (O&M)

Date of Decision: 28.06.2021

The Lord Co-Op Group Housing Society Limited ... Petitioner

VS.

State of Haryana & Ors. ... Respondents

**Coram: Hon'ble Mr. Justice Tejinder Singh Dhindsa
Hon'ble Mr. Justice Girish Agnihotri**

Present: Mr. Ashish Gupta, Advocate for the petitioner

Tejinder Singh Dhindsa, J. (Oral)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

The petitioner is a Group Housing Society.

A writ of *mandamus* is sought directing the respondents to refund the excess amount of Rs.8,06,763/- deposited on account of the composition fee pertaining to Plot No.GH-5, Sector 1, IMT, Manesar, Gurugram.

During the course of hearing, counsel has adverted to communication dated 04.05.2018 at Annexure P9 issued by the Senior Town Planner, HSIIDC, IMT Manesar addressed to Treasury Officer, Gurugram and which, as per him, is a virtual admission of the afore-noticed excess amount.

Counsel submits that till date, the respondent-authorities are sitting on the matter and the excess amount of composition fee has not yet been refunded.

Counsel advanced the submission that he would be satisfied if the writ petition were to be disposed of with a direction to the concerned authorities to examine the claim of the petitioner-Society in a time bound manner.

We find the prayer advanced by the counsel to be just and reasonable.

In view of the above and without even ascertaining the correctness of the averments made in the petition and without opining on the merits of the claim, the writ petition is disposed of with a direction to the 2nd respondent i.e. Managing Director, Haryana State Industrial and Infrastructure Development Corporation Ltd. to examine the claim of the petitioner against the backdrop of the representation dated 04.01.2021 (Annexure P14) expeditiously and in any case to take the final decision thereupon within a period of two months from the date of receipt of certified copy of this order.

Petition disposed of.

(Tejinder Singh Dhindsa)
Judge

28.06.2021

VVishal

(Girish Agnihotri)
Judge

1. Whether speaking/reasoned?
2. Whether reportable?

Yes/No
Yes/No