

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

CWP-14319-2021

Date of Decision: 02.08.2021

RAM SWAROOP

... PETITIONER

V/S

STATE OF HARYANA AND OTHERS

... RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA
HON'BLE MR. JUSTICE VIVEK PURI**

Present: Mr. R.S.Panghal, Advocate for the petitioner.

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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.

Petitioner is stated to be an ex-serviceman, aged 77 years.

It has been averred in the petition that petitioner had applied for a flat in the ex-serviceman category at Sector 28, Pinjore, Panchkula. Thereafter draw of lots was held on 29.12.2014 in which he was successful. Petitioner claims to have deposited a total amount of Rs. 4,91,500/- till date.

Counsel submits that till date no progress has taken place on the site and even an allotment letter for a particular flat has not been issued.

Short grievance raised in the petition is that even the request of the petitioner seeking refund of the amount has not been acceded to.

Counsel invites our attention to the response dated 28.11.2019 (Annexure P-4) furnished by Housing Board, Haryana to a legal notice that had been got served and in which it has been observed that if the applicant (Sh. Ram Swaroop) does not wish to take possession of the flat and wants a refund, then he has to give a written request and the same would be dealt with as per policy of the Housing Board, Haryana.

Counsel makes a submission that he would be satisfied if the writ petition were to be disposed of with a direction to the concerned authorities to take a final decision on representation dated 20.3.2021 (Annexure P-8) that has been given by the petitioner seeking refund.

We find the request to be just and fair.

Without even ascertaining the correctness of the averments made in the petition and without opining on the merits of the claim of the petitioner seeking refund, we deem it fit to dispose of the writ petition with a direction to the 2nd respondent i.e. The Chief Administrator, Housing Board, Haryana to examine the claim of the petitioner against the background of the representation dated 20.3.2021 (Annexure P-8) and take a final decision thereupon expeditiously and in any case within a period of two months from the date of receipt of

the certified copy of this order.

Needless to observe that in case the claim of the petitioner seeking refund is accepted, the necessary amount would be released to him without any further delay.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

(VIVEK PURI)
JUDGE

02.08.2021
Janki

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No