

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

**CWP-24396-2021(O&M)**

**Date of Decision:02.12.2021**

**Roshani Devi**

**..... Petitioner**

**versus**

**State of Haryana and others**

**..... Respondents**

**CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA  
HON'BLE MR. JUSTICE VINOD S. BHARDWAJ**

**\*\*\***

Present: Mr.Vikas Lochab, Advocate for the petitioner.

Mr.Pravindra Singh Chauhan, Advocate  
for respondents No. 2, 3 and 4.

**\*\*\***

**TEJINDER SINGH DHINDSA, J. (ORAL)**

As per pleadings on record petitioner had applied for a residential plot in the year 2017 and had participated in an auction process conducted by the Haryana Shehri Vikas Pradhikaran (HSVP). Being the highest bidder pertaining to Plot No. 2050 SP, Sector 23, Sonipat, the bid of Rs. 46,10,200/- was accepted. As per terms and conditions of the auction, petitioner deposited 10% of the amount in the account of the respondent-Pradhikaran. The 2<sup>nd</sup> instalment of Rs. 6,91,530/- was to be deposited on 28.08.2017 and which, as per petitioner, was also done.

The subsequent payments have also been made by the petitioner.

The short issue raised in the petition is that the petitioner has been made to deposit an amount of Rs.1,34,422/-towards late payment/interest on the plea that the 2<sup>nd</sup> instalment of Rs. 6,91,530/- had not

been deposited in the correct head.

It is the assertion made by counsel for the petitioner that such amount of Rs. 6,91,530/-towards the 2<sup>nd</sup> instalment had been made within the stipulated time frame and in an account maintained by HSVP itself. It is further argued that the 2<sup>nd</sup> instalment was deposited in the same account in which the 1<sup>st</sup> instalment had been made.

It is argued that under such circumstances the charging of interest/penalty of Rs. 1,34,422/- is arbitrary and illegal.

Refund of such amount along with interest is being sought in the instant petition.

Notice of motion.

Mr.Pravindra Singh Chauhan, Advocate accepts notice on behalf of respondents No. 2, 3 and 4.

A very fair stand has been taken by Mr.Chauhan by submitting that a representation has already been submitted by the petitioner as regards the grievance/claim made in the instant petition and the same would be considered by the competent authority and a final decision thereupon would be taken in terms of passing a reasoned and speaking order and after affording an opportunity of personal hearing to the petitioner expeditiously and in any case within a period of two months from today.

Counsel for the petitioner does not oppose such submission.

In view of the above, writ petition is disposed of.

The respondents-HSVP would remain bound by the statement made by Mr. Pravindra Singh Chauhan, Advocate and as noticed hereinabove.

It is clarified that we have not opined on the merits of the case.

Disposed of.

( TEJINDER SINGH DHINDSA )  
JUDGE

( VINOD S. BHARDWAJ )  
JUDGE

02.12.2021  
sunita

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|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether Reportable        | : | Yes/No |