

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

CWP-7483-2020 (O&M)

Date of decision : 19.05.2022

M/s Gaur Fabrication & Iron Store

.....Petitioner

Versus

Union Territory, Chandigarh and others

....Respondents

CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Vaidant Arora, Advocate, for
Mr. Sunil Kumar Bhardwaj, Advocate,
for the petitioner.

Mr. Anil Mehta, Sr. Standing Counsel, UT Chandigarh, with
Mr. J.S. Lalli and Mr. Deepak Malhotra, Advocates,
for the respondents.

RAVI SHANKER JHA, CHIEF JUSTICE (Oral)

The petitioner has filed this petition praying for issuance of direction to the respondent-authorities to release the withheld amount of EMD deposited by it by way of online transaction along with interest. It is submitted that in a case of similarly situated person, this Court in Civil Writ Petition No. 7324 of 2020 has granted the relief of grant of interest @ 6% per annum by order dated 20.05.2020. It is stated that in such circumstances, the respondents be directed to confer the same benefit on the petitioner keeping the concept of parity in mind.

Learned counsel for the parties are ad idem that the legal notice dated 06.04.2020 (Annexure P-8) served by the petitioner upon the respondents may be directed to be considered and decided by the authorities expeditiously in accordance with law, preferably within a

period of one week keeping the decision of this Court rendered in Civil Writ Petition No. 7324 of 2020 in mind by taking all other factual aspects into consideration. Learned Senior Standing Counsel appearing for Union Territory, Chandigarh, submits that the decision so taken will be communicated to the petitioner.

In the circumstances and keeping in mind that legal notice dated 06.04.2020 (Annexure P-8) is pending before the respondent-authorities and the issue involved requires application of mind to the facts of the case, the petition is disposed of by directing the U.T. Administration, Chandigarh, to take a decision on the legal notice (ibid) within a period of one week and thereafter communicate the decision to the petitioner as undertaken by the learned Senior Standing Counsel appearing for Union Territory, Chandigarh.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

May 19, 2022
ndj

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