

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

152

COCP-837-2022

Date of Decision : 28.04.2022

Yogesh Sikri

....Petitioner

V/S

Naresh Narwal, Commissioner and another

...Respondents

CORAM : HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present : Mr.Ankit Aggarwal, Advocate
for the petitioner

Mr.Pawan Kumar Longia, DAG Punjab.

ANIL KSHETARPAL, J (ORAL)

Complaining violation of directions issued by the Court in CWP-20271-2017, titled as “Yogesh Sikri Vs. The State of Haryana and others”, dated 17.01.2019, the petitioner has filed the present petition under Sections 10 and 12 of the Contempt of Courts Act, 1971. The operative part of the order reads as under:-

“After hearing learned counsel for the parties, we are of the opinion that the petitioners' contention is correct. Once the rules were silent in this regard and also the terms of the allotment, the respondents could not insist on payment of extension fee as the policy came into existence in the year 2013. To the similar effect, decision has been rendered by this Court in Civil Writ Petition No.12166 of 2010. Consequently, we accept the petitions in part and permit the respondents to charge the extension fee w.e.f. 25.10.2013 when the policy came into existence but make it clear that the petitioners would not be charged any extension fee for the period prior thereto.

Disposed of.

Since it has been stated before us that the petitioners have paid the amount as demanded by the

respondents Improvement Trust/Corporation, the respondents would now refund the amount after making necessary calculations & adjustments.”

Learned counsel representing the petitioner admit that application for grant of Special Leave to Appeal filed by Municipal Corporation, Karnal has been dismissed on 11.03.2022. As per the directions of the Court, the petitioner is required to be refunded the amount after making the necessary calculations/adjustments. The notice has been sent to the Secretary, Improvement Trust, Karnal on 05.04.2022. The refund is to be made by Municipal Corporation, Karnal.

Keeping in view the aforesaid facts the petitioner at the first instance forward a copy of the judgment passed by the Division Bench, along with copy of the order passed by the Supreme Court, as also tentative calculations, to the Commissioner, Municipal Corporation, Karnal, who is requested to take a decision thereon within a period of one month from the date of receipt of such a representation.

The petitioner shall be at liberty to move an application for revival if the decision is not taken.

Disposed of.

(ANIL KSHETARPAL)
JUDGE

28.04.2022

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