

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

COCp-1784-2017 (O&M)
Date of decision: 19.04.2023

Suman Yadav

... Petitioner

Vs.

Shri Harvir Singh and ors.

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. R.D. Yadav, Advocate
for the petitioner.

Mr. R.S. Khosla, Sr. Advocate with
Ms. Bhavti Pujara, Advocate
for respondent No.1.

Mr. Lakshay Jindal, Advocate
for rspondent No.2.

ARVIND SINGH SANGWAN, J. (ORAL)

The petitioner alleges violation of the order dated 02.03.2017, vide
which following directions were issued: -

*“As the facts would speak for themselves, respondent No.2-builder
initially failed to honour its obligation and subsequently due to
change in circumstances, namely, the unfortunate death of
petitioner's husband, it appears to be a fit case where the
petitioner's claim for refund of the amount deposited by her
deceased-husband requires sympathetic consideration by*

respondent No.2. Since intervention of the Chief Administrator, Amritsar Development Authority, under whom respondent No.2 has been granted licence is required, we dispose of this writ petition at this stage with a direction to the Chief Administrator, Amritsar Development Authority, Amritsar, to intervene in the matter and impress upon respondent No.2 to redress the grievance of the petitioner for the refund of the amount deposited by her deceased-husband, in the changed circumstances as noticed above.”

Learned senior counsel for respondent No.1 submits that though respondent No.1 has no administrative control over the private respondents, however, the meetings were arranged between the petitioner and private respondents in order sort out the dispute. It is further submitted that at the first instance, respondent No.2 agreed to pay the amount in 20 installments and now he has been made to understand that he can make the payment in 06 (monthly) installments i.e. within a span of 06 months.

Learned counsel for respondent No.2 has also made the similar statement.

Learned counsel for the petitioner is not averse to the offer made by respondent No.1.

Learned counsel for respondent No.2 undertakes that first payment will be made in first week of May, 2023 and the remaining amount will be paid

in five installments in first week of subsequent calender months.

In view of the above, present petition is rendered as infructuous.

Liberty is granted to the petitioner to revive this petition, if so required.

**[ARVIND SINGH SANGWAN]
JUDGE**

19.04.2023
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No