

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

COCF No.66 of 2019 (O&M)

Date of decision: 24.01.2023

Rajender

....Petitioner

Versus

D. Suresh and another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. S.K. Yadav, Advocate
for the petitioner.

Mr. Sanjeev Majra, Advocate for the respondents.

ARVIND SINGH SANGWAN J. (Oral)

On 09.07.2018, the following order was passed:-

“It does appear from the proceedings (P-8) that in draw of lots held on 24.10.2013 against oustees claim in Sector-78, Faridabad, the petitioner was found eligible for allotment. If that is so, there appears to be no rhyme or reason to refund him the earnest money as an unsuccessful oustee. Be that as it may, the question raised by the petitioner being essentially a question of fact which can be determined by the authorities on verification of record, the instant writ petition is disposed of with a direction to the Administrator, HUDA, Faridabad-respondent No.2 or the Chief Administrator, HUDA, Panchkula to obtain a fact-finding report from the Estate Officer, HUDA, Faridabad and take appropriate final decision in respect of the above-mentioned claim of the petitioner, within a period of three months from the date of receiving a certified copy of this order.”

Reply by way of affidavit of the Estate Officer, HSVP, Faridabad, dated 31.10.2019, is on record and as per the reply, the government has issued certain policies and in compliance of the aforesaid order, a speaking order has been passed on 12.09.2019 and

the petitioner was requested to submit the details of his account so that the earnest money may be refunded, however till date, the same has not been done.

Another affidavit is filed on 10.02.2020 again and office order is attached in compliance of the directions dated 16.09.2019 in which again the proposed action against the erring officials is duly described.

In view of the above, no further action is called for.

Accordingly, this petition is disposed of.

However, liberty is granted to the petitioner to avail the alternative remedy in accordance with law, if so advised.

(ARVIND SINGH SANGWAN)
JUDGE

24.01.2023
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No