

2023:PHHC:043144-DB
229 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-6668-2022

Date of Decision: 22.03.2023

SURINDER PAL SINGH

...Petitioner

Vs.

STATE OF HARYANA AND OTHERS

...Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE SANJIV BERRY

Present: Ms. Anu Garg, Advocate for
Mr. V.P. Sangwan, Advocate for the petitioner.

Ms. Kirti Singh, DAG Haryana.

Ms. Vasundhra Asija, Advocate for
Mr. P.S. Chauhan, Advocate for respondent Nos. 2 & 3.

AUGUSTINE GEORGE MASIH, J. (Oral)

While issuing notice of motion, following order was passed by
this Court on 06.04.2022:

“By this petition, the petitioner seeks issuance of a direction in the nature of mandamus demanding interest at the rate of 12% per annum upto the date of payment of the refund ordered vide the order dated 10.02.2020 passed by respondent No.1.

Learned counsel for the petitioner submits that the petitioner having applied within the stipulated period for refund of the money instead of allotment of a plot, and his claim as regards the refund having been upheld by the Principal Secretary, Government of Haryana, Department of Town & Country Planning, vide his aforesaid order dated 10.02.2020 (Annexure P-6), the amount was returned to the petitioner only on 10.02.2020, though the application had been made on 07.11.2017.

Notice of motion.

Mr. P.S. Chauhan, Advocate, accepts notice at the asking of the court for the respondents-Authority. An affidavit be filed as to why the petitioner should not be paid interest at atleast bank rates for the delay in refund of the amount.

Adjourned to 22.08.2022”

Short reply by way of affidavit of Estate Officer, HSVP, Rohtak dated 22.08.2022 on behalf of respondent Nos. 2 & 3 has been filed in Court wherein paragraph No.5, it has been stated that an amount of Rs. 1,00,980/- as interest on the earnest money pertaining to plot No.433, Sector21P Rohtak has been disbursed to the account of the petitioner vide sanction order dated 08.08.2022 (Annexure R-2).

In view of the above, the present petition has been rendered infructuous and the same is disposed of as such.

(AUGUSTINE GEORGE MASIH)
(JUDGE)

(SANJIV BERRY)
JUDGE

22.03.2023
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No