

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

108

Civil Writ Petition No.4462 of 2023
Date of Decision: March 3rd, 2023

Satya Pal

...Petitioner

Versus

State of Haryana and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr. Parveen and Mr. Abhijeet Sharma, Advocates
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court with a grievance that the petitioner had applied in pursuance to an advertisement for allotment of flats from the Scheduled Caste/Backward Class Families for a Type 'A' Flat at Charkhi Dadri in the year 2014. Petitioner was allotted a plot therein and in pursuance thereto, a letter dated 23.01.2015 was issued requiring deposit of ₹1,69,000/-. The said amount was duly deposited and thereafter another amount was deposited by the petitioner on 18.03.2015. The total amount, therefore, deposited by the petitioner is ₹3,38,000/-.

It appears that the respondents have not proceeded to construct the flats. Petitioner had been seeking the refund of the amount which has been deposited by the petitioner but without any result. The various representations and approach by him personally also to the respondents has not resulted in any action on the part of the respondents. Faced with this situation, petitioner had served a legal notice dated 22.06.2021 (Annexure P-3) upon the respondents, which also has not been decided till date. On 30.05.2022, a bunch of writ petitions was decided by this Court, lead case whereof was *CWP No.19124 of 2021* titled as *Raj Pal Singh*

Gahlaut Versus Housing Board Haryana and another (Annexure P-4),

wherein this Court had proceeded to direct refund of the amount along with mean savings bank interest of the State Bank of India from the date of deposit till the date of release of the amount. Counsel contends that despite the said decision having rendered by this Court, the amount has still not been refunded to the petitioner.

Notice of motion.

On the asking of the Court, Mr. Pravindra Singh Chauhan, Advocate accepts notice on behalf of the respondents.

Without going into the merits of the case or commenting thereon, we dispose of the present writ petition with directions to The Chief Administrator, Housing Board Haryana, Panchkula-respondent No.2 to consider the legal notice dated 22.06.2021 (Annexure P-3) served upon the respondents by the petitioner within a period of four weeks from today keeping in view the judgment passed by this Court in *Raj Pal Singh Gahlaut's case (supra)*.

In case the claim of the petitioner is accepted, the consequential refund of the amount along with interest be made within a further period of two weeks.

(AUGUSTINE GEORGE MASIH)
JUDGE

March 3rd, 2023
Puneet

(VIKRAM AGGARWAL)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No