

130 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.11405 of 2023 (O&M)

Date of Decision: 25.05.2023

Jasminder Singh

..... Petitioner

V/s.

State of Punjab and Others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sukhandeep Singh, Advocate for the petitioner.

Mr. V.G. Jauhar, Additional Advocate General, Punjab.

Augustine George Masih, J. (Oral)

The petitioner has approached this Court with a prayer for issuance of a writ of *mandamus* directing the respondent Nos.2 to 5 to refund the total deposited amount to the tune of Rs.5,89,000/- alongwith 18% interest *per annum* from the date of payment till its realization against the allotment of shop no.2 in Mandi Fish Market, Amritsar where the petitioner was the highest bidder and in pursuance thereto has deposited an amount, as has been referred to above.

It is asserted that no further steps have been taken by the respondents with regard to give effect to the said fish market. It is under these circumstances after waiting for long, as the allotment in favour of the petitioner was on 29.09.2016, the petitioner had to approach the respondents for refund of the amount.

Representations have not yielded any result forcing the petitioner to finally serve a notice dated 11.04.2023 (Annexure P-6) through counsel, which also, has not resulted in any response.

Learned counsel for the petitioner contends that the petitioner at this stage, would be satisfied if a direction is issued to the respondent Nos.2 to 5 to consider and take a decision on the legal notice within some specified time.

Notice of motion

On the asking of the Court, Mr. V.G. Jauhar, Additional Advocate General, Punjab, who is present in Court accepts notice on behalf of the respondents.

We dispose of the writ petition directing respondent Nos.2 to 5 to consider and pass a speaking order on the legal notice dated 11.04.2023 (Annexure P-6) within a period of eight weeks from today. The decision so taken, be conveyed to the petitioner forthwith. In case the claim of the petitioner is accepted, consequential benefits be released to the petitioner within a further period of three weeks.

(Augustine George Masih)
JUDGE

25th May, 2023

Sonia Puri

(Harpreet Singh Brar)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No