

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

CWP-13047-2023

DATE OF DECISION: 03.07.2023

RAJENDER SINGH

.....PETITIONER

Vs.

STATE OF HARYANA AND ANOTHER

.....RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA
HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN**

Present: Mr. S.S. Mor, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (ORAL)

1. This petition has been filed under Article 226/227 of the Constitution of India directing the respondents to release the amount of Rs. 5,80,000/- along with interest of 18% per annum. The case of the petitioner is that respondent No. 2 invited the applications for the allotment of flats from the eligible serving/ex-defence and Para Military persons for Sector 65 at Faridabad. The petitioner being a retired person from Navy as Master Chief Petty Officer-II had applied for the same, and also deposited the aforesaid requisite amount by way of two transactions of the cost of the flat, which had to be constructed in Sector 65, Faridabad, in the year 2014. Since the needful was not being done, the petitioner filed an application before respondent No. 2 for refund of the amount on 05.08.2017 (Annexure P-2) along with interest. The said request was stated to be followed up thereafter on 12.02.2023 (Annexure P-4) and 20.04.2023 (Annexure P-5).

2. Reliance is also placed on a similar order passed whereby the benefit was granted for allotment of a flat for a different site for refund of the amount deposited for allotment of flat in CWP No. 16047-2021, titled **Bharat Singh vs. State of Haryana and another**, decided on 17.02.2022 (Annexure P-6).
3. Notice of motion.
4. On the asking of the Court, Mr. Aman Bahri, Addl. A.G., Haryana, accepts notice on behalf of respondents No. 1 and 2.
5. Keeping in view the fact that the representations are still pending before respondent No. 2, we do not feel it necessary to call upon the respondents to file reply and accordingly, direct respondent No. 2 to take a decision on the said representations within a period of 04 weeks from today.
6. In case, the amount deposited has to be refunded and there is no legal impediment, the said amount be refunded to the petitioner along with the interest as per the prevalent policy.
7. In case, there is a legal impediment as such, the respondent shall pass a speaking order and convey to the petitioner.
8. The petition is disposed of accordingly.

(G.S. SANDHAWALIA)
JUDGE

July 03, 2023
nitin

(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes
Whether Reportable	No