

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

Sr. No.113

CWP-15423-2023 (O&M)  
Date of decision : 21.07.2023

Varsha Jain

..... Petitioner

VERSUS

State of Haryana and others

..... Respondents

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

Present: Mr. Gaurav Aggarwal, Advocate, for the petitioner.

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**G.S. SANDHAWALIA, J. (Oral)**

Limited prayer has been pressed before us for refunding the entire amount of 25% as per Letter of Intent which has been issued on 31.03.2023. Just before that, on 23.02.2023 (Annexure P-3) permission for constructing stilt+4 building plan had been put on hold by the Government. It is the case of the petitioner that since the issue is still pending decision, whether, the said policy will continue to be in force or not is a moot question. The bid in the auction was keeping in mind the Collector rate and FAR and the refund is prayed for of Rs.1,91,43,350/- which is 25% of the total amount of Rs.7,65,73,400/- against plot No.497-M, Sector 43, Urban Estate, Gurgaon-II.

2. We find the request is genuine. Apparently, 120 days period as such is yet to expire as per clause 3 of Letter of Intent, whereby the amount of 25% liable to be forfeited and the request has been submitted for refund vide letter dated 14.07.2023 (Annexure P-6).

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3. Notice of motion.
4. Mr. Deepak Sabharwal, Advocate, accepts notice on behalf of the respondent-HSVP and he submits that the amount deposited can be ordered to be refunded without interest.
5. Keeping in view the above, the limited prayer is accepted and direction is made with the consent of the learned counsel for the respondent-HSVP. The amount deposited by the petitioner be refunded without interest and the needful be done within two weeks from the date of receipt of certified copy of this order.
6. The writ petition stands disposed off.

(G. S. SANDHAWALIA)  
JUDGE

(HARPREET KAUR JEEWAN)  
JUDGE

21.07.2023  
Ramandeep Singh

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|-----------------------------|--------|
| Whether speaking / reasoned | Yes/No |
| Whether Reportable          | Yes/No |