

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

243

CWP-23174-2021

Date of decision: 06.12.2023

RAVINDER SINGH HOODA

.....Petitioner

VERSUS

THE DISTRICT JUDGE ROHTAK AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Ravinder Malik, Advocate
for the petitioner.

None for respondents No.1 and 3.

Mr. Vivek Chauhan, Addl. A.G. Haryana
for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

Prayer made in the present writ petition is for seeking issuance of directions to respondent No.3 to refund the amount of Rs. 3.50 lakhs deposited by the petitioner towards the cost of chamber, constructed in the Court complex, District Court Rohtak, within some stipulated period alongwith interest @ 18% p.a. from due date, till actual payment.

2. Learned counsel appearing on behalf of the petitioner contends that the petitioner is a Member of District Bar Association, Rohtak and had been paying his regularly monthly/annual subscription to the District Bar Association against Enrollment No. P-3101-2012.

The respondent No.3-District Bar Association has invited the

applications for allotment of chambers within the premises of District Court, Rohtak in the year 2013. The petitioner submitted his application in the office of respondent No.3 and also made a payment of Rs. 70,000/- vide cheque No. 000010 dated 15.03.2017 drawn on Union Bank of India for allotment of the Chamber. The said Chambers were to be constructed under the Self Finance Scheme. The petitioner thereafter deposited an additional amount of Rs. 1 lakh vide receipt No. 40887 dated 01.09.2017. The draw for allotment of chambers was held on 20.01.2019 and the petitioner as well as his associate were allotted chamber No. 639 vide allotment letter dated 04.02.2019. The petitioner thereafter deposited the balance amount of Rs. 1,80,000 in cash to the respondent No.3 on 04.02.2019 and received the allotment letter. The receipt was, however, not issued by respondent No.3.

3. However, the aforesaid Chamber No. 639 was allotted by respondent No.3-District Bar Association to another Advocates namely Khajan Singh Gulia and Dalbir Singh etc. vide letter of allotment dated 04.02.2019. The petitioner approached respondent No.3-District Bar Association for handing over the possession of the aforesaid chamber, however, to no avail. Eventually, the petitioner submitted a request to respondent No.3-District Bar Association to refund the amount of Rs. 3.50 lakhs deposited by him. A representation in this regard was also sent on 10.08.2020. It is contended that a similarly situated Advocate namely Deepak Sharma had approached this Court by filing CWP-6089 of 2019 which was allowed by this Court vide order dated 03.03.2021. Counsel for the petitioner contends that his case is covered by the ratio of the above said order.

4. The respondent-District Bar Association has chosen not to appear in the present case despite service having been reported to be complete as per the office note dated 19.07.2023. The case was thereafter adjourned for today to enable appearance on behalf of the said respondents, however, no one has entered appearance today as well. It seems that the respondent No.3 is no more interested in pursuing the present writ petition. The respondents No.1 and 3 are accordingly ordered to be proceeded ex-parte.

5. Having heard, counsel for the petitioner, and noticing that the averment made by the petitioner in his petition have remained uncontroverted as also the fact that similar controversy has already been decided by this Court vide order dated 03.03.2021 passed in **CWP-6089 of 2019** in the matter of “**Deepak Sharma versus District Judge, Rohtak and others**”. The present writ petition is disposed of in terms of the order passed in the matter of **Deepak Sharma (Supra)**.

Disposed of accordingly.

(VINOD S. BHARDWAJ)
JUDGE

DECEMBER 06, 2023

Vishal sharma

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