

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

(111)

**CWP-22793-2023
Decided on : 10.10.2023**

Rahul

.....Petitioner(s)

Versus

State of Haryana & others

.....Respondent(s)

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

Present: Mr.Monu Sharma, Advocate, for
Mr.Rohit Mittal, Advocate for the petitioner (s).

G.S. Sandhawal, J. (Oral)

1. Prayer in the present writ petition, filed under Articles 226/227 of the Constitution of India is for issuance of directions to the respondents to refund the amount given at the time of allotment as well as other installments paid.

2. The relief claimed is on the basis of the letter dated 03.08.2018 (Annexure P-4) issued by the respondent-Board wherein there was a communication that since the possession of the plot has not been taken, the allotment was being cancelled and the amount deposited was to be refunded after forfeiting 50% of the earnest money as per the terms and conditions of the allotment. The refund was also to be given as per the seniority list.

3. Notice of motion.

4. Mr.Pankaj Kundra, Advocate, for Mr.Deepak Sabherwal, Advocate has put in appearance on having advance copy and accepts notice on behalf of the respondents-Board.

5. Keeping in view the limited relief sought which is for deciding the representation dated 23.12.2022 (Annexure P-5), we are of the considered opinion that reply need not be called for as it would only delay the decision making process.

6. Accordingly, the present writ petition is disposed of, directing respondent No.1 to take a decision on the representation dated 23.12.2022 (Annexure P-5) regarding the refund of the amount deposited in pursuance of the allotment of BPL flat at Rohtak, provisional registration No.RTK\BPL\PNB\2758 and final registration No.1038, which was allotted in a draw of lots held on 09.05.2014 at Rohtak. The said exercise be finalized within a period of 8 weeks from the receipt of certified copy of this order, by passing a speaking order and by taking into consideration the amounts deposited and the amount which is liable to be refunded and as to what is the liability of the refund alongwith interest as per policy.

7. With the above-said directions, the present writ petition stands disposed of.

(G.S. SANDHAWALIA)
JUDGE

(HARPREET KAUR JEEWAN)
JUDGE

10.10.2023
Sailesh

Whether speaking/reasoned :	Yes	
Whether Reportable :		No