

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP No.2380 of 2024 (O&M)  
Date of Decision :05.02.2024

Urmil Deora

.....Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI  
HON'BLE MR.JUSTICE VIKRAM AGGARWAL

Present : Mr. Parminder Pal Singh, Advocate for the petitioner.

ARUN PALLI, J. (Oral):

The petitioner has prayed for the following substantive relief:

“Civil Writ Petition under Article 226/227 of the  
Constitution of India for issuance of a writ in the nature of  
MANDAMUS, directing the respondents to refund the  
amount of earnest money alongwith compound interest @  
18% p.a. w.e.f. 30<sup>th</sup> June, 1997 till its realisation in favour of  
the petitioner.

AND

Further to hold an inquiry into the matter so as to  
bring to the book the errant officials in the interest of justice.”

Learned counsel for the petitioner submits that petitioner had  
applied for allotment of 1 kanal residential plot in Sector-45, Gurgaon,  
Haryana, and had deposited US \$5,023.20 (equivalent to Rs.1,75,812.00p) as  
earnest money through bank draft drawn at Bank of Baroda, New York, USA.

However, she remained unsuccessful in the draw of lots. Thus, in the given

situation, the respondents ought to have returned the amount that she had deposited. But despite communications 16.04.1998 (P2), reminder 11.04.2011 (P3) and also the legal notice dated 21.11.2018 (P4), the authorities are served with, have failed to evoke any response.

However, nothing is brought on record to show as to when was the draw held by the respondents-authority. Copy of the application seeking allotment as also the alleged draft that was purportedly submitted as earnest money has not been appended with the petition either. Concededly, post submission of the application for allotment, nearly three decades have gone by. And there is no plausible explanation for the delay that has occurred in the interregnum.

At this stage, learned counsel for the petitioner submits that he be permitted to withdraw the petition to enable the petitioner to pursue the matter with the respondents-authority, particularly when the competent authority is in seizin of the legal notice it has been served with.

Dismissed as withdrawn.

(ARUN PALLI)  
JUDGE

(VIKRAM AGGARWAL)  
JUDGE

05.02.2024  
*Manoj Bhutani*

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