



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 11944 of 2024

Date of decision: 20.05.2024

M/s RK Wind Ltd.

.... Petitioner

Vs.

State of Haryana and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Ms. Dhivya Jerath, Advocate
for the petitioner.

ARUN PALLI, J (Oral)

A mandamus is prayed for, commanding the respondents to award interest @ 18% per annum w.e.f. 19.2.2014 on the earnest money deposited by the petitioner.

Learned counsel for the petitioner submits that pursuant to the application moved by the petitioner seeking allotment of an institutional plot in Sector 44, Gurugram, it was interviewed to assess its requirement/justification by the Standing Screening Committee on 14.07.2014. Accordingly, it had deposited Rs.1,39,36,800/- as earnest money. However, subsequently, for in Civil Writ Petition No. 13533 of 2014, allotment of the site was stayed by this Court vide order dated 16.07.2014, the petitioner and those who were identically placed were not allotted any site/plot. The said petition was eventually dismissed by this Court on 04.02.2015. It is urged that despite the dismissal of the petition, neither did the authorities issue any letter of allotment nor did they refund the amount deposited by the petitioner. Even the multiple representations dated 15.12.2015 (P-4); 07.06.2016 (P-5); 07.01.2017 (P-6); 18.11.2017 (P-7); 27.07.2018 (P-8); 29.11.2019 (P-9); 01.10.2021 (P-10); 24.03.2022 (P-11) and 22.04.2023 (P-12) failed to evoke any response. Whereas, it was on 19.08.2023 the authorities refunded the amount deposited by the petitioner. However, for the authorities had retained Rs.1,39,36,800/- for nearly a decade, the petitioner was entitled to interest thereon. But, again despite



repeated representations, the claim of the petitioner remained unaddressed. Thus, this petition.

Served with advance copy of the petition, Mr. Deepak Sabherwal, Advocate, for the respondent-HSVP is present in Court. He, at the outset, has shared with us a copy of the communication dated 20.05.2024, issued by the Estate Officer-II, HSVP, Gurugram, vide which it is conveyed that interest @ 5.5%, as per HSVP Policy, on the amount deposited by the petitioner, shall be released within a period of 7 days from today. Copy of the said communication is retained on record as “Mark X”.

That being so, learned counsel for the petitioner submits that nothing substantive survives in the petition and the same be disposed of in terms of the statement made by learned counsel for the respondent-HSVP, as also the stand set up in the communication dated 20.05.2024 (*ibid*).

In the wake of the position sketched out above, and in terms of the statements made by learned counsel for the parties, this petition is accordingly disposed of.

However, if the amount, as indicated in the communication dated 20.05.2024, is not released within the stipulated period, the petitioner shall be at liberty to move a miscellaneous application in this petition itself for its restoration and appropriate orders.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

20.05.2024
deepak

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