



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 13732 of 2024

Date of decision: 31.05.2024

Krishan Gopal Bansal

.... Petitioner

Vs.

Jalandhar Improvement Trust, Jalandhar

.... Respondent

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

Present: Mr. Rajat Mor, Advocate for the petitioner.

ARUN PALLI, J (Oral)

The petitioner has prayed for the following substantive relief:

“Civil Writ Petition under articles 226/227 of the Constitution of India, praying for the issuance of an appropriate writ, order or direction, especially a writ in the nature of mandamus directing the respondents to comply with the order dated 22.11.2018 (P-8) passed by the Hon’ble High Court in CWP No.18561 of 2017 titled as ‘Krishan Gopal Bansal Vs. Jalandhar Improvement Trust’ whereby the Hon’ble Division Bench directed the respondent to refund the principal amount to the petitioner, deposited by him with regard to Plot no.39-C measuring 500 Sq. Yds. in Surya Enclave, Extension, Jalandhar, without any interest and consequences and directed needful be done within a period of 2 months from the date of receipt certified copy of this order, but till date more than 5 years have been expired and no compliance has been ensured by the respondent Jalandhar Improvement Trust and further the respondent be directed that petitioner be granted interest on the delayed payment as delay is on the part of respondent.”

Learned counsel for the petitioner submits that despite the order passed by a coordinate Bench of this Court on 22.11.2018 (P-8) and directions issued therein, the respondent authorities have apparently failed to refund the requisite amount, the petitioner is entitled to. So much so, even



the legal notice dated 23.01.2024 (P-10), the respondent authorities have been served with, has failed to evoke any response. Thus, this petition.

Served with the advance copy of the petition, Mr. Shekhar Verma, Additional Advocate General, Punjab, is present in Court on behalf of the respondent. At the outset, he, on instructions, submits that let the petition be disposed of to enable the respondent authorities to examine the matter and pass appropriate orders, in accordance with law. Further, he submits that before any such orders are passed, the petitioner shall also be afforded an opportunity of hearing. And a formal communication in this regard will be issued to him, well in advance.

Learned counsel for the petitioner is agreeable to the course suggested by the learned State counsel and submits that let the petition be disposed of in terms of the statement made by him.

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

This Court is sanguine that the authority shall consider/examine the matter in the right earnest. And pass appropriate orders, assigning reasons in support thereof.

Needless to assert that this order shall not constitute an expression of opinion on the merits of the case of either party, for, as indicated earlier, the competent authority shall examine the grievances of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

31.05.2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No