

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CM-19452-CWP-2023 in
CM-2423-CWP-2022 in/and
CWP-21697-2010(O&M)
Date of decision: 29.01.2024

S.P. Marwah (now deceased) through his LRs
... Petitioner
Versus
Chandigarh Housing Board and another
... Respondents

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

Present: Mr. Arjun Dosanj, Advocate, and
Mr. Rahil Mahajan, Advocate, for the applicant-petitioner.
Mr. Indresh Goel, Advocate, for the respondents.

ARUN PALLI, J. (Oral)

CM-19452-CWP-2023

For the reasons set out in the application, Civil. Misc. No.2423-CWP-2022 is preponed to today. And with the consent of learned counsel for the parties, the main petition too is taken on Board, which is already on regular board at serial No.737.

CWP-21697-2010(O&M)

Learned counsel for the petitioner submits that petitioner (Late S.P. Marwah, IAS, Retd.) had applied for allotment of a flat under Self Financing Housing Scheme, 2008, floated by the Chandigarh Administration, on 26.02.2008. And, accordingly, earnest money of Rs.1,75,000/- was deposited with the respondent Administration vide demand draft No. 009547, dated 22.02.2008. It is urged that the petition is pending since 2010, and in the interregnum the petitioner has passed away. He submits that he be permitted to

withdraw the petition, for he has specific instructions from LRs of deceased

petitioner not to pursue the matter any further. As regards refund of earnest money, he submits that an appropriate application would be made to the competent authority at the earliest.

To this, learned counsel for the respondents submits that if any such application is moved, the competent authority shall take cognizance thereof forthwith, and pass necessary orders thereon, in accordance with law.

Dismissed as withdrawn with the liberty prayed for.

(Arun Palli)
Judge

(Vikram Aggarwal)
Judge

29.01.2024
Rajan

Whether speaking / reasoned:
Whether Reportable:

YES/NO
YES/NO