

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-25153-2023 (O&M)
Date of decision: 18.01.2024

Ashish JindalPetitioner

Versus

State of Haryana and othersRespondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Kshitij Sharma, Advocate, and
Ms. Tamanna Banwala, Advocate
for the petitioner.

Mr. Deepak Sabherwal, Advocate,
for the respondent-HSVP.

ARUN PALLI, J.(Oral)

CM-616-CWP-2024

For the reasons set out in the application, which is duly supported by an affidavit, the same is allowed. Consequently, with the consent of learned counsel for the parties, the date fixed in the main case is preponed to today, i.e. 18.01.2024.

CM-614-CWP-2024

Application is allowed, as prayed for.

The document is taken on record.

Main case

At the outset, learned counsel for the respondent-HSVP submits that in the wake of the circumstances, referred to in detail in our order dated November 08, 2023, the only and the inevitable option is: to refund the amount that has been deposited by the petitioner so far. He submits that in so far as payment of 15% of the consideration (Rs.89,47,965/-), which has been kept in the Fixed Deposit Receipt(s), the same shall be released to the petitioner within seven days from today, after complying with the necessary formalities in this regard. And,

regarding the initial deposit of 10% (Rs.59,65,310/-), that too shall be refunded within the same period, along with interest @ 5.5%.

In response, learned counsel for the petitioner submits that nothing substantive survives in this petition and the same be disposed of, in terms of the statement made by learned counsel for the respondents. And, if the amount deposited by the petitioner, as indicated above, is refunded, he shall be left with no right/title/interest in the site in question and would not raise any claim in this regard before any forum.

The petition is accordingly disposed of, in terms of the statements made by learned counsel for the parties.

However, if the amount is not refunded to the petitioner, as undertaken by learned counsel for the respondent-HSVP, he shall be at liberty to move a necessary application in this petition itself for its restoration and appropriate orders.

(ARUN PALLI)
JUDGE

(HARKESH MANUJA)
JUDGE

January 18, 2024
Ak Sharma

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