

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-28061-2023

Date of decision: 13.02.2024

Ved Ahuja and others

....Petitioners

Versus

State of Haryana and others

....Respondents

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

Present: Mr. Ranjivan Singh, Advocate, and
Mr. Risham Raag Singh, Advocate,
for the petitioners.

Mr. Ankur Mittal, Additional Advocate General, Haryana,
Ms. Kushaldeep Kaur, Advocate.

ARUN PALLI, J. (Oral)

On December 20, 2023, this Court had passed the following
order:-

*In response to our order dated 14.12.2023, learned
State counsel submits that pursuant to the recovery
certificate dated 08.05.2023, issued by the competent
authority, the requisite amount (Rs.32,42,542/-) had since
been recovered on 18.08.2023. And accordingly, the
amount was remitted to the RERA authority to be
disbursed to the complainant/decree holder on 14.09.2023.
However, he submits that owing to administrative apathy
the said draft continues to lie with the authority. As a
result the amount has still not been disbursed.*

*He has filed a short reply on behalf of Deputy
Commissioner, Gurugram, in Court today, which is taken
on record. Copy furnished.*

*However, he prays for a short accommodation to
obtain instructions and explain as to why despite receipt of
the draft the amount was still not be disbursed to the com-
plainant-decree holder.*

Adjourned to 13.02.2024.

Learned counsel for the parties submit that post passing of the two successive orders by this Court, petitioners have since been released an amount of Rs.32,42,542/-, by way of a pay order/demand draft, on 05.01.2024. Although there is hardly any justification, least plausible, as to why the amount that had been recovered, pursuant to the recovery certificate, on 18.08.2023, and was also remitted to the Haryana Real Estate Regulatory Authority (respondent No.4) on 14.09.2023, was not disbursed to the petitioners immediately thereafter. Even the explanation that is sought to be tendered in paragraph 4 of the affidavit submitted by respondent No.4, in this regard, is unsatisfactory.

Be that as it may, learned counsel for the petitioners submits that in the wake of the position sketched out above, nothing substantive survives in the petition and the same be disposed of, as having been rendered infructuous.

Ordered accordingly.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

13.02.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No