



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CWP-13117-2026

Date of Decision: 07.05.2026

Randhawa and another**....Petitioners****Versus****State of Haryana and another****....Respondents**

**CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Mr. Ram Darshan Yadav, Advocate
for the petitioner.

Mr. Deepak Bhardwaj, Additional Advocate General, Haryana.

SUVIR SEHGAL, J. (ORAL)

1. Petitioners have approached this Court *inter alia* for issuance of a writ of mandamus directing the respondents to hand over the possession of allotted flats or to refund the deposited amount along with interest.
2. Mr. Yadav, submits that the respondents launched a housing scheme for allotment of flats to serving/ex-servicemen personnel and petitioners applied for allotment. Vide letters dated 12.02.2015, Annexures P-1 and P-2, both the petitioners are allotted flats at Sector-5, Rohtak and Sector-102A, Gurugram. They deposited the requisite amount by way of bank drafts, Annexures P-3 and P-4, but despite a lapse of more than a decade, they have not received any communication from the respondents.
3. On advance notice, respondents are being represented through Mr. Deepak Bhardwaj, Additional Advocate General, Haryana, who submits that respondents have scrapped the housing scheme and petitioners are entitled



to the refund of the amount deposited by them. He has made a reference to the judgment passed by a Division Bench of this Court in **Raj Pal Singh Gahlaut vs. Housing Board Haryana and another, 2022(3) RCR (Civil) 185**, as also to regulation 5(2) of the Housing Board, Haryana (Allotment, Management and Sale of Tenements) Regulations, 1972, which provides as under:-

“5. Application for tenements-

(1) X X X X X

(2) No application shall be accepted by the Board unless it is received on or before the date specified in the notice or the date extended from time to time and the applicant pays the amount with application at the time of registration as provided in the notice published under regulation 4. The applicant shall not be entitled to any interest on the amount paid with the application at the time of registration where the Board allots him a house within a period of two years from the closing date of registration or where the applicant chooses to withdraw his application within a period of two years which will be governed by the provision of regulations. In other cases, where the Board fails to allot houses within a period of two years from the closing date of registration, interest on amount paid with the application at the time of registration shall be payable for the period after the expiry of two years from the closing date of registration to the date of allotment or date of refund, whichever, is earlier, at the rate applicable in the case of saving bank accounts of the nationalized banks.”

4. We have heard counsel for the parties and considered their respective submissions.

5. A perusal of the above reproduced regulation clearly shows that in case, petitioners are not allotted houses within a period of two years from the date of closing of the registration, they are entitled to refund of deposited



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amount along with interest. The rate of interest payable on deposited amount has been specified as the rate applicable to a saving bank account of a nationalized bank. Although, counsel for the petitioner has asserted that petitioners are entitled to interest @24% per annum, but in view of the above reproduced regulation, which has not been challenged, prayer made by the petitioners, cannot be granted. A similar argument was raised before the Division Bench in ***Raj Pal Singh Gahlaut's case (supra)***, but it stood rejected.

6. Accordingly, the petition is disposed of with a direction to the respondents to refund the deposited amount by 30.06.2026 along with the saving bank interest of the State Bank of India, running from the date of the closure of registration in respect of the scheme. In case, respondents fail to refund the amount by the aforesaid date, they shall be liable to pay penal interest @ 10% per annum with compounding effect for the delayed period beyond 30.06.2026.

(SUVIR SEHGAL)
JUDGE

(VIKAS SURI)
JUDGE

May 07, 2026

Varinder

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No