

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

**103+215**

C.M. No. 26357-CII of 2014 and  
COCP No. 2324 of 2013

Date of decision: 07.05.2015

Ashok Sharma and another

.....PETITIONERS

VERSUS

Ashwani Kumar, HCS and another

.....RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH**

Present: Mr. Deepinder Singh, Advocate  
for the petitioners.

Mr. Ajay Nara, Advocate,  
for the respondents.

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**AUGUSTINE GEORGE MASIH, J. (ORAL)**

C.M. No. 26357-CII of 2014

Prayer in this application is for permission to place on record the affidavit along with Annexures A-1 to A-4.

Prayer granted. Affidavit along with Annexures A-1 to A-4 is taken on record.

Application stands disposed of.

COCP No. 2324 of 2013

Counsel for the petitioners states that the amount of extension fee i.e. ₹ 6,58,400/-, which has been charged, could not have been charged by the respondents as the judgment clearly stated that the petitioners have been forced to seek extension for

non-sanction of their building plan.

This contention of the counsel for the petitioners appears to be correct as per the observations made by the Division Bench of this Court. It has further been stated in the reply, which has been filed, in para 6 thereof, that an amount of ₹ 3, 87,680/- has been refunded. The remaining amount be refunded to the petitioners within a period of four weeks from today.

With these directions, the present contempt petition is disposed of as infructuous. Liberty is, however, granted to the petitioners to revive the contempt petition, in case the payment is not released to them within the time stipulated above.

Copy of the order be given **dasti** to the counsel for the respondents under signatures of the Bench Secretary of this Court.

**May 07, 2015**  
*PJ*

**( AUGUSTINE GEORGE MASIH )**  
**JUDGE**