

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 11203 of 2015

Date of Decision: 28.5.2015

Shakrula and others

....Petitioners.

Versus

State of Haryana and others

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MRS. JUSTICE REKHA MITTAL.**

PRESENT: Mr. Kulkirat, Advocate for
Mr. Rajesh Lamba, Advocate the petitioners.

AJAY KUMAR MITTAL, J.

1. In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioners have prayed for issuance of a writ in the nature of Mandamus directing the respondents to allot a plot to the petitioners under the oustee policy in lieu of their acquired land.

2. The petitioners were co-owner in possession of land to the extent of their shares situated at Mauja Badkhal, Tehsil and District Faridabad. The said land was acquired by the respondents for the development of Sector 48, Faridabad vide notification dated 20.4.1987 issued under Section 4 of the Land Acquisition Act, 1894 (in short "the Act") followed by notification dated 20.4.1988 under Section 6 of the Act. The awards were passed on 6.4.1989 and 29.3.1989. The petitioners submitted various applications to the respondents for the allotment of plot under oustee scheme, but to no effect. Thereafter, the petitioners moved a representation dated 14.1.2013 (Annexure P-1) along with

necessary format to respondent No.2 for the allotment of plot under the oustee policy, but no response has been received till date. Hence, the present writ petition.

3. Learned counsel for the petitioners submitted that for the relief claimed in the writ petition, the petitioners have moved an application dated 14.1.2013 (Annexure P-1) to respondent No.2, but no action has so far been taken thereon. Reliance was also placed on the order dated 14.8.2014 passed by the Division Bench in **CWP No. 16268 of 2014** titled as **Jafrudden v. State of Haryana and others** (Annexure P-2).

4. After hearing learned counsel for the parties, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petition by directing respondent No.3 to decide the application dated 14.1.2013 (Annexure P-1), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioners within a period of three months from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

May 28, 2015
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(REKHA MITTAL)
JUDGE