

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

**CWP No. 11572 of 2015
Decided on : 28.05.2015**

Satish Sethi

... Petitioner

Versus

Haryana Urban Development Authority and others

... Respondents

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

PRESENT: Mr. Johan Kumar, Advocate
for the petitioner.

AJAY KUMAR MITTAL, J. (Oral)

1. In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioner has prayed for issuance of a writ in the nature of *Mandamus* directing the respondents to allot alternative plot to him in Faridabad, in any sector, which is fully developed and free from the purview of the Forest Act, in lieu of plot No. 327-P, Sectors 44 & 47, Faridabad, measuring one kanal.

2. The petitioner was allotted plot No. 327-P, Sectors 44 & 47, Faridabad, in draw of lots vide allotment letter dated 08.01.2002 (Annexure P-1). The petitioner had cleared all the dues and made all the payment to the respondents but possession of the said plot was not given to him. He moved a representation dated 22.05.2013 (Annexure P-2) to respondent No.3 for alternate plot but no response was received. Thereafter, he sent a legal notice dated 19.01.2015 (Annexure P-3) to respondents No.1 to 3 for the allotment of an alternate plot but no action was taken thereon by them. Hence, the present writ petition.

3. Learned counsel for the petitioner submitted that for the relief

claimed in the writ petition, the petitioner has moved a representation dated 22.05.2013 (Annexure P-2) and thereafter sent a legal notice dated 19.01.2015 (Annexure P-3) to respondents No.1 to 3, but no action has so far been taken thereon. Reliance was also placed upon the orders (Annexures P-4 to P-8) passed by this Court.

4. After hearing learned counsel for the petitioner, 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.2 to take a decision on the representation dated 22.05.2013 (Annexure P-2) and the legal notice dated 19.01.2015 (Annexure P-3), respectively, in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner within a period of three months from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

(REKHA MITTAL)
JUDGE

May 28, 2015

J.Ram