

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 12942 of 2015

Date of Decision: 2.7.2015

Kiran Devi and another

....Petitioners.

Versus

Haryana Urban Development Authority, Panchkula and another

...Respondents.

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

PRESENT: Mr. Surinder Sharma, Advocate for the petitioners.

AJAY KUMAR MITTAL, J.

1. Through the instant 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 deliver the physical possession of plot No. 3395-J, Sector 15 III, Sonipat measuring 90 square meter or in the alternative to allot another plot of the same size on the same rate, terms and conditions as per allotment letter dated 14.6.2001.

2. Respondent No.2 issued advertisement for sale of plots in Sector 15, Part III, Sonapat. One Shri Jawahar Lal Narang son of Late Shri Hem Raj, resident of House No. 670, Garshi Gaushala, Sonapat applied for one plot of 90 square metre and vide allotment letter dated 14.6.2001 (Annexure P-1), he was allotted plot No. 3395 J, Sector 15-III, Sonapat for ₹ 1,79,221/-. Respondent No.2 issued a certificate dated 9.9.2003 (Annexure P-2) regarding non-encumbrance of plot in question to the original allottee Shri Jawahar Lal Narang and executed a conveyance deed dated 24.8.2005 (Annexure P-3) in his favour. The said conveyance deed was registered before the Sub Registrar, Sonapat on 29.8.2005. Said Jawahar Lal Narang sold the plot in question to the

petitioners for ₹ 12,92,000/- by way of registered sale deed dated 25.3.2011 (Annexure P-4). The petitioners applied for transfer of the plot in question in their favour and respondent No.2 vide re-allotment letter dated 8.4.2011 (Annexure P-5) transferred the said plot in their favour. The petitioners filed a representation dated 2.6.2014 (Annexure P-6) to the respondent No.2 for possession of the plot in question but to no effect. Thereafter, a reminder dated 4.9.2014 (Annexure P-7) was sent to respondent No.2, 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 a representation dated 2.6.2014 (Annexure P-6) followed by reminder dated 4.9.2014 (Annexure P-7) to respondent No.2, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioners, 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 2.6.2014 (Annexure P-6) followed by reminder dated 4.9.2014 (Annexure P-7), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioners within a period of two months from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

July 2, 2015
gbs

(REKHA MITTAL)
JUDGE