

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 14296 of 2015

Date of Decision: 20.7.2015

Parveen Rani

....Petitioner.

Versus

Haryana Urban Development Authority, Panchkula 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.

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 an alternative plot to her in Faridabad in any sector which is fully developed and free from the purview of the Forest Act, 1890 in lieu of plot No. 449, Sector 45, Faridabad measuring 90 square meter.

2. As per the averments made in the petition, plot No. 449, Sector 45, Faridabad was initially allotted to Hemant Taneja son of Hukam Chand vide allotment letter dated 18.8.1992. The said plot was purchased by Krishan Kumar son of S.B. Sanuja vide allotment letter dated 3.7.1995 from whom the plot was purchased by Harjeet Singh Madan vide allotment letter dated 2.9.1999 and thereafter the plot in question was purchased by Tejpal Singh Yadav vide allotment letter dated 24.8.2004. The petitioner purchased the plot in question vide

allotment letter dated 21.6.2005 (Annexure P-1). The petitioner had cleared all the dues but the possession of the plot in question was not handed over to her. Accordingly, she made a representation dated 22.5.2013 (Annexure P-2) to respondent No.3 for allotment of alternative plot in fully developed sector, Faridabad in lieu of plot No. 449, Sector 45, Faridabad, but to no effect. Thereafter, she sent a legal notice dated 18.2.2015 (Annexure P-3) to the respondents, but no response has been received till date. 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 22.5.2013 (Annexure P-2) and thereafter served a legal notice dated 18.2.2015 (Annexure P-3) upon the respondents, but no action has so far been taken thereon.

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 22.5.2013 (Annexure P-2) and the legal notice dated 18.2.2015 (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

July 20, 2015
gbs

(REKHA MITTAL)
JUDGE