

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 15402 of 2015

Date of Decision: 30.7.2015

Bhag Singh 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. Bhag Singh, Advocate for 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 make allotment of the commercial plots/shops to them as per their entitlement in lieu of their acquired land in New Fruit and Vegetable Market at Ambala City.

2. The land of the petitioners situated within the revenue estate of village Patti Jattan, Hadbast No. 38, Tehsil and District Ambala was acquired by the respondents vide notification dated 10.7.2007 (Annexure P-1) issued under Section 4 of the Land Acquisition Act, 1894 (in short "the Act") followed by notification dated 21.1.2008 (Annexure P-2) under Section 6 of the Act for establishment of the New Fruits and Vegetable Market, Ambala City. The award was passed on 11.3.2008. Government of Haryana framed a policy dated 25.8.1987 (Annexure P-10) for rehabilitation of the farmers/landowners by making allotment of commercial sites/shops/booths to the landowners whose had has been acquired by the Haryana State Agriculture Market Board (HSAMB). Another policy dated 9.11.2010 (Annexure P-11) was framed for making allotment of residential plot as well as commercial booths/shops to the landowners whose land has been acquired on or after 7.9.2010. As the

land of the petitioners was acquired vide award dated 11.3.2008, petitioners No.2 and 7 submitted applications dated 29.3.2012 (Annexure P-12) and dated 30.4.2012 (Annexure P-13) to respondent No.3 for allotment of commercial plots/shops at New Vegetable Market/ Mandi, Ambala City under oustee quota who forwarded the same 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, petitioners No.2 and 7 have moved applications dated 29.3.2012 (Annexure P-12) and dated 30.4.2012 (Annexure P-13) to respondent No. 3, 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.3 to decide the applications dated 29.3.2012 (Annexure P-12) and dated 30.4.2012 (Annexure P-13), 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

July 30, 2015
gbs

(REKHA MITTAL)
JUDGE