

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 15626 of 2015

Date of Decision: 31.7.2015

Shyam Sunder Soni

....Petitioner.

Versus

State of Haryana and others

...Respondents.

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

PRESENT: Mr. Sandeep Singh, 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 issue NOC/clearance certificate for khasra No. 733, khatauni No. 2/2-Rakba 6 bigha ka 20/120 in village Tejli, District Yamuna Nagar to him and to release the land of the petitioner. Further, a writ of mandamus has been sought directing respondent No.4 to decide the representation dated 7.7.2015 (Annexure P-5) submitted by the petitioner.

2. The land of the petitioner situated in village Tejli, District Yamuna Nagar was acquired by the respondents along with some other land vide notification dated 21.4.1987 issued under Section 4 of the Land Acquisition Act, 1894 (in short "the Act") followed by notification dated 20.4.1988 (Annexure P-1) under Section 6 of the Act. Some of the landowners challenged the said notifications by filing CWP No. 3269 of

1990 and this Court vide order dated 29.9.1992 (Annexure P-2) allowed the said writ petition and quashed the notification dated 20.4.1988 (Annexure P-1) issued under Section 6 of the Act. Similar writ petitions were also disposed of in terms of order dated 29.9.1992 (Annexure P-2) by this Court vide order dated 30.3.2011 (Annexure P-3). The petitioner submitted a representation dated 17.7.2014 (Annexure P-4) followed by a representation dated 7.7.2015 (Annexure P-5) to the respondents for issuance of NOC/clearance certificate and for the release of land, 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 representations dated 17.7.2014 (Annexure P-4) and dated 7.7.2015 (Annexure P-5) to 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.4 to take a decision on the representation dated 7.7.2015 (Annexure P-5), 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 31, 2015
gbs

(REKHA MITTAL)
JUDGE