

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 15722 of 2015

Date of Decision: 3.8.2015

Anit Gupta

....Petitioner.

Versus

Haryana Urban Development Authority, Panchkula and others

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MR. JUSTICE SHEKHER DHAWAN.**

PRESENT: Mr. Ramandeep 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 certiorari for quashing the show cause notice dated 29.6.2015 (Annexure P-7) issued by respondent No.2.

2. Plot No. 681, Sector 52, Urban Estate-II, Gurgaon measuring 135 square meters was initially allotted to one Shri Ishwar Singh under blind category vide allotment letter dated 15.9.2003 (Annexure P-1). The plot in question was re-allotted to Shri Satish Kumar vide re-allotment letter dated 17.11.2003 (Annexure P-2). The petitioner purchased the said plot after fulfilling necessary and requisite terms and conditions by moving transfer application dated 17.11.2003 (Annexure P-3) and the transfer permission dated 18.11.2003 (Annexure P-4) was granted. The re-allotment letter dated 2.12.2003 (Annexure P-5) was issued in favour of the petitioner. The petitioner made payments

of the plot in question from time to time and possession certificate dated 29.6.2006 (Annexure P-6) was issued in his favour by respondent No.2. A notice dated 29.6.2015 (Annexure P-7) was issued to the original allottee, Shri Ishwar Singh to show cause as to why the allotment of the plot in question be not cancelled. The petitioner filed reply dated 13.7.2015 (Annexure P-8) followed by additional reply dated 17.7.2015 (Annexure P-9) to the said show cause notice. However, no action has so far been taken thereon. Hence, the present writ petition.

3. We have heard learned counsel for the petitioner.

4. The original allottee, namely, Shri Ishwar Singh and the petitioner were required to attend the office of respondent No.2. The petitioner has filed reply dated 13.7.2015 (Annexure P-8) and the additional reply dated 17.7.2015 (Annexure P-9) to the show cause notice dated 29.5.2015 (Annexure P-7). Respondent No.2 is directed to pass a speaking order in the matter in accordance with law after affording an opportunity of hearing to the petitioner within a period of three months from the date of receipt of certified copy of this order.

5. The writ petition stands disposed of accordingly.

(AJAY KUMAR MITTAL)
JUDGE

August 3, 2015
gbs

(SHEKHER DHAWAN)
JUDGE