

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 15864 of 2015

Date of Decision: 4.8.2015

Rai Singh Gahlawat

....Petitioner.

Versus

State of Haryana and others

...Respondents.

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

PRESENT: Mr. Tara Chand Dhanwal, 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 21.5.2015 (Annexure P-11) issued by respondent No.4 for cancellation of plot No. 756-P, Sector-9, Jhajjar.

2. Plot No. 756-P, Sector-9, Urban Estate, Jhajjar, measuring 10 marla was initially allotted to respondent No.5 on free hold basis vide allotment letter dated 8.8.2011 (Annexure P-1). Respondent No.5 deposited a sum of ₹ 5,44,851/- through bank draft dated 25.8.2011 (Annexure P-2). The plot in question was sold to the petitioner by respondent No.5 after receiving ₹ 5,82,727/- vide receipt, Annexure P-3. Respondent No.5 submitted an application dated 6.9.2011 (Annexure P-4) to respondent No.4 for transfer of the said plot in favour of the petitioner. After completing the formalities, the plot in question was

allotted to the petitioner vide re-allotment letter dated 4.11.2011 (Annexure P-5) with a direction to deposit further six installments w.e.f. 12.8.2012 of each year amounting to ₹ 2,91,363/- per installment. The petitioner made installments of the plot in question from time to time and possession certificate dated 19.1.2015 (Annexure P-10) was issued in his favour by respondent No.4. A notice dated 21.5.2015 (Annexure P-11) was issued to respondent No.5 to show cause as to why the allotment of the plot in question be not cancelled with a copy to the petitioner. The wife of the petitioner filed reply dated 29.5.2015 (Annexure P-12) 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, Jai Singh-respondent No.5 and the petitioner were required to attend the office of respondent No.4. The petitioner has filed reply to the show cause notice dated 21.5.2015 (Annexure P-11). Respondent No.4 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 the certified copy of this order.

5. The writ petition stands disposed of accordingly.

(AJAY KUMAR MITTAL)
JUDGE

August 4, 2015
gbs

(SHEKHER DHAWAN)
JUDGE