

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 24302 of 2014

Date of Decision: 23.4.2015

Dalbir Singh Bhung

....Petitioner.

Versus

State of Punjab and another

...Respondents.

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

PRESENT: Mr. Sanjeev Sharma, Advocate for the petitioner.

AJAY KUMAR MITTAL, J.

1. Through the instant 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 consider his claim for the allotment of a plot in Guru Teg Bahadur Nagar under the displaced persons category.

2. The petitioner was owner in cultivating possession of land measuring 22 kanal 18 marlas situated in village Tung, District Amritsar as per jamabandi for the year 2008-09 (Annexure P-1). The said land was acquired by the State of Punjab for Improvement Trust, Jalandhar (in short "the Trust") vide notification dated 29.11.2001. The award was passed on 28.11.2003 (Annexure P-2). The actual possession was taken by the Trust on 23.3.2005 (Annexure P-3). Subsequently, respondent No.2 launched a scheme, namely, Guru Teg Bahadur Nagar for freehold residence plots. As per condition mentioned at Sr. No.9 of

the brochure (Annexure P-4), the local displaced persons, dispossessed by particular acquisition like the petitioner who were owner of the acquired land and were having reserved right to plots as per note given in the brochure, if any plot was not allotted to them from the General or reserved categories were entitled to a plot. The petitioner submitted his application form dated 28.1.2009 (Annexure P-5) along with all the relevant documents. The petitioner sent a representation, Annexure P-7, to respondent No.2 for the allotment of a plot but to no effect. 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, Annexure P-7, to respondent No.2, 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 decide the representation, Annexure P-7, of the petitioner, in accordance with law by passing a speaking order and after affording an opportunity of hearing to him within a period of three months from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

April 23, 2015
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(REKHA MITTAL)
JUDGE