

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.26135 of 2015
Date of Decision:-15.12.2015.

Gurnam Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE P.B. BAJANTHRI**

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Keshav Pratap Singh, Advocate for the petitioner.

SURYA KANT, J. (ORAL)

1.) The petitioner being a local displaced person was entitled to allotment of a residential plot in 550 acre development scheme known as Bhai Randhir Singh Nagar, Ludhiana, for which his land was acquired. As no such allotments were made for years, the local displaced persons kept on approaching this Court and it appears that pursuant to the directions issued from time to time, some of the similarly placed local displaced persons were allotted plots but on pick and choose basis. The petitioner also approached this Court through CWP No.8775 of 2014 which was disposed of on May 8, 2014 with a direction to decide his claim.

2.) Pursuant to those directions, the petitioner has been allotted a plot measuring 400 square yards vide allotment letter dated 9.6.2015 @ ₹ 20,700/- per square yard. The petitioner has deposited the allotment

price under protest as according to him he is entitled to be allotted the plot at the Collector's rate. It is contended that the Trust has charged highly excessive allotment price contrary to the Rules as well as the decision of the Consumer Forum and this Court. It is on this premise that the petitioner seeks a direction for the refund of the excess amount charged from him towards allotment of plot No.60-E in Maharishi Balmiki Nagar, Ludhiana. In addition, he has also sought 5 % discount on 75% amount deposited by him as per the Trust's policy.

3.) Having heard learned counsel for the petitioner and considering the nature of relief sought by him which firstly requires consideration at the hands of the Trust Authorities, we dispose of the writ petition with a direction to the Chairman-respondent No.2 to treat this writ petition as representation on behalf of the petitioner and decide his above mentioned two claims by way of reasoned order within three months from the date of receipt of certified copy of this Court.

4.) The petitioner is directed to deposit two copies of the writ petition with the Registry to be forwarded to the respondents along with copy of this order.

5.) Needless to say that if the petitioner is found entitled for any refund, the same shall be released to him within two months thereafter.

(SURYA KANT)
JUDGE

(P.B. BAJANTHRI)
JUDGE

December 15, 2015.

sandeep sethi