

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 3820 of 2015

Date of Decision: 16.3.2015

Roshan Lal

....Petitioner.

Versus

State of Haryana and others

...Respondents.

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

PRESENT: None.

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 decide his claim for allotment of a plot under the oustees category in lieu of his land which had been acquired as per the oustees policies for rehabilitation and Resettlement of land owners.

2. The petitioner was owner of half share in the land of 540 square yards bearing khasra Nos. 2//24/2/2, situated within the revenue estate of hadbast No. 58, village Patti Mehar, Tehsil and District Ambala. The land of the petitioner along with other land was acquired by the Government of Haryana vide notification dated 4.3.1983 issued under Section 4 followed by notification dated 27.2.1986 of the Land Acquisition Act, 1894 for the development and utilization of the land as institutional, residential and commercial for Sector 8, Ambala. The Land

Acquisition Collector passed award dated 23.2.1988 (Annexure P-1). The State of Haryana framed various oustees policies including policies (Annexures P-3 to P-6). The petitioner moved various representations to the respondents seeking allotment of alternative plot in lieu of the land acquired by them including the representation dated 18.7.2003 (Annexure P-7). Since no action was taken on the representations moved by the petitioner, he sent a legal notice dated 1.9.2014 (Annexure P-8) but no response has been received from the respondents. Hence, the present writ petition.

3. For the relief claimed in the writ petition, the petitioner has moved a representation 18.7.2003 (Annexure P-7) and thereafter sent a legal notice dated 1.9.2014 (Annexure P-8) to respondents No.2 and 3, but no action has so far been taken thereon.

4. After 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.3 to take a decision on the representation 18.7.2003 (Annexure P-7) and legal notice dated 1.9.2014 (Annexure P-8), respectively, 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

March 16, 2015
gbs

(REKHA MITTAL)
JUDGE