

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 4784 of 2015

Date of Decision: 18.3.2015

The Acharya Narender Dev, Co-operative House Building Society,
Gurgaon

....Petitioner.

Versus

State of Haryana and others

...Respondents.

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

PRESENT: Mr. Sandeep Sharma, 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 Mandamus directing the respondents to allot a plot to it under the oustees policy dated 7.12.2007 (Annexure P-2).

2. The petitioner was owner of the land bearing khasra Nos. 472(5-3), 473(3-6), 474(1-16), 475(1-16), 476(0-13), 477 (0-12), 478(0-5), total measuring 13 bigha 5 biswa pukhta to the extent of 112/265 share, i.e. 5 bigha 12 biswa pukhta situated within the revenue estate of village Wazirabad, District Gurgaon. The land of the petitioner along with other land was acquired by the Government of Haryana vide awards dated 3.5.2000, 9.12.2003 and 22.2.2007 for the development of residential, commercial and institutional and open space for Sectors 52A, 53 and 54 in Gurgaon Urban Estate. The respondents have not

invited applications from the oustees till today whose land was acquired. The petitioner moved various representations to respondent No.4 seeking allotment of alternative plot in lieu of the land acquired including the representation dated 16.1.2014 (Annexure P-3) but no response has been received from the said respondent. 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 16.1.2014 (Annexure P-3), 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.4 to take a decision on the representation 16.1.2014 (Annexure P-3), 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 18, 2015
gbs

(REKHA MITTAL)
JUDGE