

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 6339 of 2015

Date of Decision: 6.4.2015

Jagdish

....Petitioner.

Versus

State of Haryana and others

...Respondents.

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

PRESENT: Mr. Surya Kant Gautam, Advocate for the petitioner.

AJAY KUMAR MITTAL, J.

1. In this 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 residential plot to him in sector at Panipat under the oustees category as per the oustees policy in lieu of his acquired land.

2. Haryana Urban Development Authority framed oustees policies, Annexures P-1 to P-7/A, for the allotment of residential plots to the landowners whose land has compulsorily been acquired for the development of residential/commercial/industrial sectors. The land of the father of the petitioner measuring 19 kanal 9 marlas to the extent of 1/7 share situated within the revenue estate of village Kabri, District Panipat was acquired by the Government of Haryana for the development of Sectors 6, 7 and 8, Panipat. The compensation was

received by the father of the petitioner of the acquired land. Reference under Section 18 of the Land Acquisition Act, 1894 was filed for the enhancement of the award which was accepted by the reference court vide award dated 12.8.1995 (Annexure P-8 Colly). As per the policy, the petitioner was entitled to a plot under the oustees category in lieu of his acquired land. Accordingly, the petitioner moved various representations including representation dated 27.3.2014 (Annexure P-9) to respondent No.2 but no response has so far been received therefrom. 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 dated 27.3.2014 (Annexure P-9) 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 take a decision on the representation dated 27.3.2014 (Annexure P-9), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner within a period of four months from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

April 6, 2015
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(REKHA MITTAL)
JUDGE