

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 6802 of 2015

Date of Decision: 10.4.2015

Kesar Singh and others

....Petitioners.

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 petitioners.

AJAY KUMAR MITTAL, J.

1. In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioners have prayed for issuance of a writ in the nature of Mandamus directing the respondents to decide the representation dated 8.5.2013 (Annexure P-5). Further, a direction has been sought to the respondents to allot the plot to them under the oustees policy dated 18.3.1992 (Annexure P-1).

2. As per the averments made in the petition, the land of the petitioners measuring 211 kanal 3 marlas was acquired for the development of Sector 12-A, Panchkula in the year 1977. The respondents had invited applications from the oustees in the year 2003 whose land was acquired. The petitioners applied for the allotment of a 6 marla category plot which was allotted to them on the joint khata. On coming to know that they were eligible for a plot of 1 kanal, the petitioners requested respondent No.4 to consider their application for

the allotment of 1 kanal plot under the oustees policy. Thereafter, the petitioners filed CWP No. 17244 of 2009 which was disposed of by this Court vide order dated 26.4.2013 with liberty to the petitioners to submit the representation before the respondents. In pursuance thereof, the petitioners submitted a representation dated 8.5.2013 (Annexure P-5) to respondent No.2 but till date no response has been received therefrom. Hence, the present writ petition.

3. Learned counsel for the petitioners submitted that for the relief claimed in the writ petition, the petitioners have moved a representation dated 8.5.2013 (Annexure P-5) to respondent No.2, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioners, 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 8.5.2013 (Annexure P-5), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioners within a period of three months from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

April 10, 2015
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(REKHA MITTAL)
JUDGE