

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 7589 of 2015

Date of Decision: 23.4.2015

Maya Devi

....Petitioner.

Versus

The State of Haryana and others

...Respondents.

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

PRESENT: Mr. Ajit Malik, Advocate for the petitioner.

AJAY KUMAR MITTAL, J.

1. Through the instant 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 respondents No.2 to 4 to allot a plot to them under the oustees category in Sector 12, Sonapat in lieu of her land having been acquired.

2. Government of Haryana vide notification dated 17.5.1990 issued under Section 4 of the Land Acquisition Act, 1894 (in short "the Act") followed by notification dated 12.5.1993 under Section 6 of the Act acquired the land of the petitioner for the development and utilization of land for Sector 12, Sonapat. On being sought information under the Right to Information Act, 2005 by one Randhir Singh, respondent No.4 vide letter dated 16.5.2011 (Annexure P-6) informed that there are number of plots vacant in various sectors of Haryana Urban Development Authority (HUDA) including Sector 12, HUDA Sonapat. On

coming to know about the policies for the allotment of plot to the land owners whose had has been compulsorily acquired by the HUDA, the petitioner approached respondent No.4 for the allotment of a plot under oustees quota but she was told that she was not entitled to the same as she had not applied when the sector was floated for sale to the General Public as well as for the oustees. Thereafter, the petitioner sent a legal notice dated 22.1.2015 (Annexure P-8) to respondents No.1, 2 and 4 for the allotment of a plot under the oustees quota but no response has been received. Hence, the present writ petition.

3. Learned counsel for the petitioner submitted that for the relief claimed in the writ petition, the petitioner has sent a legal notice dated 22.1.2015 (Annexure P-8) to respondents No.1, 2 and 4, 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.1 to take a decision on the legal notice dated 22.1.2015 (Annexure P-8), 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

April 23, 2015
gbs

(REKHA MITTAL)
JUDGE