

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 7770 of 2015

Date of Decision: 27.4.2015

Satbir

....Petitioner.

Versus

State of Haryana and others

...Respondents.

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

PRESENT: Mr. Sanjeev Kodan, Advocate for the petitioner.

AJAY KUMAR MITTAL, J.

1. The petitioner through the instant petition filed under Articles 226/227 of the Constitution of India, has prayed for issuance of a writ in the nature of Mandamus directing the respondents to allot a plot to him as per his entitlement under the oustees policy dated 18.3.1992 (Annexure P-1) and notifications dated 7.12.2007 (Annexure P-2) and dated 9.11.2010 (Annexure P-3).

2. The petitioner was owner in possession of the land measuring 24 kanal 13 marlas and 3/8 share situated within the revenue estate of village Barkatabad, Tehsil Bahadurgarh, District Jhajjar. Vide notification dated 10.4.2003 issued under Section 4 of the Land Acquisition Act, 1894, the land of the petitioner was acquired by the respondents. Respondent No.1 issued a policy dated 18.3.1992 (Annexure P-1) for the allotment of residential/commercial plots to the oustees in various urban estates set up by the Haryana Urban

Development Authority. The respondents issued amended policy vide notification dated 7.12.2007 (Annexure P-2). Thereafter, the respondents amended the policy dated 18.3.1992 (Annexure P-1) vide notification dated 9.11.2010 (Annexure P-3). As per the said policies, the petitioner was entitled to a plot under the oustee quota in Sector-6, Jhajjar. Accordingly, the petitioner sent a legal notice dated 15.7.2014 (Annexure P-4) to respondent No.3 for the allotment of a plot under the oustee 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 15.7.2014 (Annexure P-4) to respondent No.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.3 to take a decision on the legal notice dated 15.7.2014 (Annexure P-4), 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 27, 2015
gbs

(REKHA MITTAL)
JUDGE