

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 8890 of 2015

Date of Decision: 7.5.2015

The New Shri Surya EWS Cooperative Group Housing Society Ltd.
....Petitioner.

Versus

The Director General, Urban Estate Department, Haryana and others
...Respondents.

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

PRESENT: Mr. Rajesh Kumar Moudgil, 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 give final allotment letter and possession of plot No. 6, Sectors 13-17, Panipat for Economically Weaker Sections (EWS) to the petitioner in view of letter of intent for the allotment dated 27.11.2006 (Annexure P-3) given by the respondents.

2. The petitioner vide application dated 28.2.2006 applied for a Group Housing Society under the EWS category along with 10% of the total cost of the plot amounting to ₹ 4,48,000/- by way of demand draft dated 27.2.2006. The petitioner was declared successful in a draw of lots held on 20.8.2006 for the allotment of plot No.6, Sector 13-17, Panipat measuring 2000 square meters. In pursuance to the letter of intent dated 27.11.2006 (Annexure P-4), the petitioner submitted the

requisite amount and documents. The petitioner had deposited a total sum of ₹ 11,68,000/- (25% of the cost of the plot) but no allotment or possession letter has been issued by the respondents. Thereafter, the petitioner sent legal notices dated 12.3.2014 (Annexure P-7) and dated 16.6.2014 (Annexure P-9) to respondents No.2 to 4 for allotment and possession of the plot in question, but no response has been received till date. 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 legal notices dated 12.3.2014 (Annexure P-7) and dated 16.6.2014 (Annexure P-9) to respondents No.2 to 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.4 to take a decision on the legal notices dated 12.3.2014 (Annexure P-7) and dated 16.6.2014 (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 three months from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

May 7, 2015
gbs

(REKHA MITTAL)
JUDGE