

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 9508 of 2015

Date of Decision: 5.8.2015

Jagdish Chander

....Petitioner.

Versus

State of Haryana and others

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MR. JUSTICE DARSHAN SINGH.**

PRESENT: Mr. Sanjay Mittal, Advocate for the petitioner.

Mr. Sudeep Mahajan, Addl. Advocate General, Haryana.

Mr. Deepak Balyan, Advocate for respondents No.2 and 3.

AJAY KUMAR MITTAL, J.

1. In this writ 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 at Rewari under the oustee quota as per the policy of the Government for rehabilitation and resettlement of landowners in lieu of his acquired land for the development and utilization of land as residential, commercial and institutional area at Rewari.

2. Government of Haryana issued a notification dated 30.3.1990 under Section 4 of the Land Acquisition Act, 1894 (in short "the Act") followed by notification dated 27.3.1991 under Section 6 of the Act for acquisition of the land including the land of the petitioner for residential, commercial and institutional area, Rewari. The award was

passed on 24.3.1993 (Annexure P-1). As per the policies of rehabilitation and settlement of owner of land, Annexures P-2 to P-9, the petitioner is entitled to a plot in oustee quota. The petitioner moved an application, Annexure P-10, to the Estate Officer, Haryana Town and Country Planning, Rewari for allotment of a plot under oustee quota, 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 moved an application, Annexure P-10, to the Estate Officer, Haryana Town and Country Planning, Rewari, but no action has so far been taken thereon.

4. After hearing learned counsel for the parties, 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 application, Annexure P-10, in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner within a period of two months from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

August 5, 2015
gbs

(DARSHAN SINGH)
JUDGE