

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 9836 of 2015

Date of Decision: 18.5.2015

Harjit Singh

....Petitioner.

Versus

State of Punjab and others

...Respondents.

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

PRESENT: Mr. Bhupinder Banga, Advocate for the petitioner.

AJAY KUMAR MITTAL, J.

1. The petitioner has invoked the writ jurisdiction of this Court under Articles 226/227 of the Constitution of India directing the respondents to consider his case for the allotment of a flat and regularization of the same as per the policies, Annexures P-2 to P-7, respectively and in view of judgments of this Court, Annexures P-8 and P-9, respectively, being 1984 Sikh riot victim.

2. The petitioner is a 1984 riot victim and Sikh migrant holding Red Card (Annexure P-1). He is living in House No. 1737-C, LIG, Phase X, SAS Nagar, Mohali for the last about four years. State of Punjab issued a policy dated 3.11.2008 (Annexure P-2) for regularization of possession of the riot victims at the rates so fixed in the year 1991-92 as per policy dated 14.9.2001 (Annexure P-3). The flats are to be allotted at 1991-92 rates as per policy dated 21.10.2008/16.10.2008 (Annexure P-4). Further, policies dated 29.9.2011 (Annexure P-6) and dated 31.1.2014 (Annexure P-7) were issued by the State of Punjab. Similar CWP No. 16345 of 2009 titled as Kuljit Singh and others v. State of

Punjab and another was disposed of by this Court vide order dated 14.9.2010 (Annexure P-9) directing that possession be regularized to riot victims. The said order was upheld in LPA No. 260 of 2011. Similar orders (Annexures P-9 and P-10) were passed by this Court in favour of the riot victims. The petitioner has also been allotted a booth but he is eligible for the allotment of the flat in question and regularization of the possession in view of the policies. The petitioner moved a representation dated 31.3.2015 (Annexure P-11) followed by the representation dated 23.4.2015 (Annexure P-12) to the respondents for regularization of the possession, 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 representations dated 31.3.2015 (Annexure P-11) and dated 23.4.2015 (Annexure P-12) to the respondents, 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.2 to take a decision on the representation dated 23.4.2015 (Annexure P-12), 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 18, 2015
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(REKHA MITTAL)
JUDGE