

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 9943 of 2015

Date of Decision: 18.5.2015

Satish Kumar

....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. This order shall dispose of 4 petitions bearing CWP Nos. 9943, 9954, 9966 and 9982 of 2015 as according to the learned counsel for the parties, similar facts and issues are involved therein. For brevity, the facts are being extracted from CWP No. 9943 of 2015.

2. 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 plot to the petitioner under the oustees policy in accordance with his entitlement to all the co-sharer as per policy dated 18.3.1992 (Annexure P-1) and the notifications dated 7.12.2007 (Annexure P-2) and dated 9.11.2010 (Annexure P-3) issued by the respondents.

3. The petitioner was owner in possession of land situated within the revenue estate of village Barkatabad, Tehsil Bahadurgarh,

District Jhajjar, as detailed in para 2 of the writ petition. His land was acquired vide notification dated 10.4.2003 issued under Section 4 of the Land Acquisition Act, 1894 (in short "the Act"). 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. As per the said policy, a person whose more than 75% of the total land has been acquired for developing a Sector by the Haryana Urban Development Authority, he was entitled to a residential plot in the same sector. Another policy dated 12.3.1993 was issued for providing procedure to examine claims which were found to be open ended. Thereafter, policies dated 28.8.1998 and 27.3.2000 were issued. In view of the policies, the State of Haryana issued a notification dated 7.12.2007 (Annexure P-3) for rehabilitation and resettlement of land owners. The plots were to be offered if the land acquired was under the ownership of the oustees on the date of publication of notification under Section 4 of the Act and if 75% or more of the total land owned in the urban estate was acquired. The said policy was made applicable and effective w.e.f. 5.3.2005. Another policy vide notification dated 9.11.2010 (Annexure P-3) was issued wherein the entitlement for size of the plot was to be determined on the basis of the share of each of the co-sharers as on date of issuance of notification under Section 4 of the Act. As per the said policy, the petitioner was entitled to a plot of 450 square meters for each of the two co-sharers for the land acquired more than 3½ acres. Since no plot was issued to the petitioner, he sent a legal notice dated 15.7.2014 (Annexure P-4) to respondent No.3 for the allotment of a plot under the oustees quota, but no response has been received till date. Hence, the present writ petitions.

4. Learned counsel for the petitioner(s) submitted that for the relief claimed in the writ petition, the petitioner (s) has/have sent a legal notice dated 15.7.2014 (Annexure P-4) to respondent No.3, but no action has so far been taken thereon.

5. After hearing learned counsel for the petitioner(s), perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petitions by directing respondent No.3 to take a decision on the legal notices 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(s) within a period of three months from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

May 18, 2015
gbs

(REKHA MITTAL)
JUDGE

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 9954 of 2015

Date of Decision: 18.5.2015

Raj Singh

....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.

For orders, see **CWP No. 9943 of 2015 (Satish Kumar v.
State of Haryana and others).**

**(AJAY KUMAR MITTAL)
JUDGE**

May 18, 2015
gbs

**(REKHA MITTAL)
JUDGE**

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 9966 of 2015

Date of Decision: 18.5.2015

Bijender Singh

....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.

For orders, see **CWP No. 9943 of 2015 (Satish Kumar v.
State of Haryana and others).**

**(AJAY KUMAR MITTAL)
JUDGE**

May 18, 2015
gbs

**(REKHA MITTAL)
JUDGE**

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 9982 of 2015

Date of Decision: 18.5.2015

Rajinder and others

....Petitioners.

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 petitioners.

AJAY KUMAR MITTAL, J.

For orders, see **CWP No. 9943 of 2015 (Satish Kumar v.**

State of Haryana and others).

**(AJAY KUMAR MITTAL)
JUDGE**

May 18, 2015
gbs

**(REKHA MITTAL)
JUDGE**