

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 14672 of 2016

Date of Decision: 26.7.2016

Balwant Singh

....Petitioner.

Versus

State of Haryana and others

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MR. JUSTICE RAMENDRA JAIN.**

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

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 respondents No.2 and 3 to issue allotment letter to him for allotment of plot No.314, Sector 18, Rewari measuring 10 marlas being declared successful in the draw of lots.

2. In the year 2010, the Haryana Urban Development Authority, Panchkula, floated a scheme for allotment of residential plots of various sizes in various Districts of Haryana through draw of lots. Some plots were kept reserved for defence personnel/ex-servicemen and various other categories. The petitioner being ex-serviceman applied vide application form dated 29.3.2010 (Annexure P-1) for a residential plot of 10 marlas in Sector 18, Rewari under defence quota by depositing an earnest money of ₹ 1,65,500/-. In the draw of lots, the petitioner was declared successful and was allotted plot No. 314 of 10 marlas size under defence quota. The petitioner sought the information under the Right to Information Act, 2005 about the allotment of the aforesaid plot. Respondent No.4 vide letter dated

11.7.2016 (Annexure P-2) informed the petitioner that he was successful but

due to below rank, allotment letter of plot No.314, Sector 18, Rewari was not issued. The petitioner submitted all the documents demanded by the respondents including ex-serviceman certificate, Annexure P-3, issued by the Zila Sainik Board, Narnaul within the stipulated period. However, the allotment letter of the plot in question was not issued to the petitioner. Accordingly, the petitioner submitted a representation dated 16.5.2016 (Annexure P-4) to respondent No.2 for release of allotment letter of plot No. 314, measuring 10 marlas, Sector 18, Rewari, 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 a representation dated 16.5.2016 (Annexure P-4) to respondent No.2, but no action has so far been taken thereon. Reliance was placed upon the orders (Annexures P-6 to P-9, respectively).

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 16.5.2016 (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

July 26, 2016
gbs

(RAMENDRA JAIN)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No