

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 15869 of 2016

Date of Decision: 8.8.2016

Ajmer Singh

....Petitioner.

Versus

The State of Haryana and others

...Respondents.

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

PRESENT: Mr. Akshay Kumar Jindal, Advocate for the petitioner.

AJAY KUMAR MITTAL, J.

1. The petitioner has filed the instant writ petition under Articles 226/227 of the Constitution of India, praying for issuance of a writ in the nature of mandamus directing the respondents to allot him the plot under the oustees quota as per his entitlement. Further, a direction has been sought to the respondents to re-issue a fresh allotment letter to the petitioner regarding Plot No. 884, Sector 16, Urban Estate, Karnal.

2. The petitioner was owner of the land measuring 4672.1433 square yards being co-sharer which is clear from the notices (Annexure P-1 Colly) issued under Section 9 of the Land Acquisition Act, 1894 (in short “the Act”). His land was acquired by the State of Haryana vide notification dated 22.2.1984 (Annexure P-2) issued under Section 4 of the Act followed by notification dated 19.2.1987 (Annexure P-3) under Section 6 of the Act for the development of Sector 16, Haryana Urban Development Authority (HUDA), Karnal. The award was passed in the year 1989. As per policy

dated 10.1.1987 and the subsequent policies issued by the HUDA, the

petitioner was entitled to a plot under the oustees quota. The petitioner was allotted Plot No. 884, Sector 16, Urban Estate, Karnal measuring 100 square yards along with 13 other co-sharers vide allotment letter dated 24.9.2007 (Annexure P-4). Accordingly, the petitioner moved representations dated 17.12.2011, 31.1.2012 and 7.2.2012 (Annexure P-5 Colly) to respondent No.3 for allotment of a plot in Sector 16, Urban Estate, Karnal, 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 representations dated 17.12.2011, 31.1.2012 and 7.2.2012 (Annexure P-5 Colly) to respondent No.3, 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 representations dated 17.12.2011, 31.1.2012 and 7.2.2012 (Annexure P-5 Colly), 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

August 8, 2016
gbs

(RAMENDRA JAIN)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No