

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 16194 of 2016

Date of Decision: 11.8.2016

Gajraj and another

....Petitioners.

Versus

State of Haryana and others

...Respondents.

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

PRESENT: Mr. Rajesh Bansal, Advocate for
Mr. Ram Bilas Gupta, Advocate for the petitioners.

AJAY KUMAR MITTAL, J.

1. In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioners have prayed for issuance of a writ in the nature of Mandamus directing the respondents to allot a plot to them under the oustee policy. Further, a prayer has been made directing the respondents to decide the representation dated 2.7.2016 (Annexure P-1) sent by the petitioners.

2. The petitioners were owners in possession of the land situated within the revenue estate of village Mewla Mehrajpur, Tehsil and District Faridabad, now Sector 46, Faridabad as per their respective shares. Government of Haryana vide notification dated 22.8.1988 issued under Section 4 of the Land Acquisition Act, 1894 (in short "the Act"), acquired part of the land of village Mewla Mehrajpur for the development and utilization of land as a residential and commercial, Sector 46, Faridabad. The award was passed on 30.3.1990. Some of the remaining land of Mewla Mehrajpur was also acquired vide notification dated 7.9.1992 issued under Section 4 of the Act for the development and utilization of land as a institutional Sectors 44 and 47, Faridabad. The awards were passed in the

year 1995. The Government further acquired the remaining land of Mewla Mehrajpur vide notification dated 10.11.1982 issued under Section 4 of the Act for the development and utilization of land as a institutional Sectors 44 and 47, Faridabad. The award was passed on 10.2.1984. On coming to know about the oustees policy framed by the respondents, the petitioners moved various applications including the application dated 7.6.2012 for allotment of a plot under the oustees policy, but to no effect. Thereafter, the petitioners moved a representation dated 2.7.2016 (Annexure P-1) to respondent No.3 for allotment of a plot under oustees quota, but no response has been received till date. Hence, the present writ petition.

3. Learned counsel for the petitioners submitted that for the relief claimed in the writ petition, the petitioners have sent a representation dated 2.7.2016 (Annexure P-1) to respondent No.3, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioners, 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.3 to take a decision on the representation dated 2.7.2016 (Annexure P-1), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioners within a period of three months from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

August 11, 2016
gbs

(RAMENDRA JAIN)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No