

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 16946 of 2016

Date of Decision: 22.8.2016

Ram Mehar

....Petitioner.

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 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 the respondents to allot a plot to him under the oustees quota. Further, a prayer has been made directing the respondents to decide the representation dated 27.7.2016 (Annexure P-2) sent by the petitioner.

2. The petitioner was owner in possession of the land measuring 46 kanal 6 marlas situated within the revenue estate of village Nangal Kheri, Tehsil and District Panipat. The petitioner moved an application dated 15.7.2016 for issuance of oustee certificate that how much his land has been acquired and respondent No.5 vide letter dated 22.7.2016 (Annexure P-1) informed that 46 kanal 6 marlas land of the petitioner had been acquired vide award dated 18.3.1985. Thereafter, the petitioner moved a

representation dated 27.7.2016 (Annexure P-2) to the Land Acquisition Officer, HUDA, Panipat for the 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 petitioner submitted that for the relief claimed in the writ petition, the petitioner has sent a representation dated 27.7.2016 (Annexure P-2) to the Land Acquisition Officer, HUDA, Panipat, but no action has so far been taken thereon. Reliance was also placed upon the order dated 25.4.2012 (Annexure P-3) passed by this Court.

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 representation dated 27.7.2016 (Annexure P-2), 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 22, 2016
gbs

(RAMENDRA JAIN)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No