

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 19388 of 2016

Date of Decision: 19.9.2016

Naresh Kumar and another

....Petitioners.

Versus

State of Haryana and others

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MR. JUSTICE KULDIP SINGH.**

PRESENT: Mr. Ajit Malik, 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 respondents No.2 to 4 to allot a plot to them in Sector 11-12, Panipat in view of the order dated 25.4.2016 (Annexure P-5) passed by this Court in LPA No. 2096 of 2011 for which the petitioners had already sent a legal notice dated 20.6.2016 (Annexure P-6).

2. Shri Budh Raj, father of petitioner No.1 and husband of petitioner No.2 was having share in the land measuring 16 kanals situated within the revenue estate of village Taraf Afgan, Tehsil and District Panipat. Government of Haryana acquired the land of Shri Budh Raj for the development and utilization of land as residential/commercial and industrial Sector 11-12, Panipat vide award dated 14.2.1979. A meager amount of

compensation was given to the petitioners. State of Haryana framed policies dated 10.9.1987 (Annexure P-1), dated 9.5.1990 (Annexure P-2), dated 18.3.1992 (Annexure P-3) and dated 12.3.1993 (Annexure P-4). This Court vide order dated 25.4.2012 (Annexure P-5) in LPA No. 2096 of 2011 directed the authorities to make allotment of plot/commercial sites to the land owners whose land was acquired by HUDA and other acquiring authorities. Accordingly, the petitioners served a legal notice dated 20.6.2016 (Annexure P-6) upon respondents No.2 to 4 for the allotment of plot in oustee category, 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 legal notice dated 20.6.2016 (Annexure P-6) to respondents No.2 to 4, 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.4 to take a decision on the legal notice dated 20.6.2016 (Annexure P-6), 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

September 19, 2016
gbs

(KULDIP SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No