

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 20129 of 2016

Date of Decision: 27.9.2016

Inderjit Singh

....Petitioner.

Versus

State of Punjab and others

...Respondents.

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

PRESENT: Mr. Mansur Ali, Advocate and
Mr. H.S. Deol, Advocate for the petitioner.

AJAY KUMAR MITTAL, J.

1. The petitioner has invoked the writ jurisdiction of this Court under Articles 226/227 of the Constitution of India directing respondents No.1 to 4 to consider his case for the allotment of plot measuring 766.66 square yards as per list of draw/brochure dated 18.4.2007 (Annexure P-1 Colly) especially when respondent No.5 was never a lawful allottee as the required money was not deposited by him in time. Further, a direction has been sought to respondents No.1 to 4 for taking action on the representation dated 1.7.2016 (Annexure P-14).

2. Respondents No.2 and 3 issued brochure along with list of draw (Annexure P-1 Colly) for allotment of plot measuring 766.66 square yards. The petitioner applied for the plot in 'Riot Victim Category'. Respondent No.5 who was originally successful in the draw of lots and was allotted a plot vide allotment letter dated 5.2.2008 (Annexure P-2) had

availed of double benefit and, therefore, his allotment was cancelled vide order dated 14.12.2009 (Annexure P-3). The petitioner moved an application dated 1.2.2010 (Annexure P-4) for allotment of a plot. Thereafter, the petitioner filed CWP No. 7125 of 2013 which was disposed of by this Court vide order dated 4.4.2013 (Annexure P-5) with a direction to respondent No.2 to decide the representation of the petitioner. Since respondent No.5 had not deposited the amount in time, the Additional Chief Administrator, Greater Ludhiana Area Development Authority (GLADA) authorities had written a letter dated 25/28.7.2008 (Annexure P-6) to the Secretary, Government of Punjab for extension of time. As per the letters (Annexure P-7 Colly), the information/report sought by the State of Punjab had not been received. Respondent No.3 made notings dated 6.8.2008, 11.8.2008 and 13.8.2008 (Annexure P-8 Colly) with regard to extension of time qua respondent No.5 as he could not have been considered for allotment, as the time was never extended by the State of Punjab. Respondent No.4 had written a letter dated 19.8.2008 (Annexure P-9) to the Additional Chief Administrator, GLADA, Ludhiana for extension of time of the plot in question. Another letter dated 16.10.2008/3.2.2009 (Annexure P-10) was written by the GLADA to the Secretary, Government of Punjab, Department of Housing Construction and Urban Development. Various notings (Annexure P-11 Colly) were written that respondent No.5 had deposited 50% amount with delay of 151 days and that the Chairman, Housing, Construction and Urban Development Department was competent to condone the said delay. The petitioner moved a representation, Annexure P-12, to respondent No.2 for the allotment of plot, but to no effect. The petitioner filed CWP No. 171 of 2014 and this Court vide order dated

25.5.2015 (Annexure P-13) dismissed the said writ petition. Thereafter, the petitioner moved a representation dated 1.7.2016 (Annexure P-14) to respondents No.1, 2 and 4 for allotment of plot in the riot victim category, 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 1.7.2016 (Annexure P-14) to respondents No.1, 2 and 4, 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.2 to take a decision on the representation dated 1.7.2016 (Annexure P-14), 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

September 27, 2016
gbs

(RAMENDRA JAIN)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No