

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 24582 of 2016

Date of Decision: 30.11.2016

Rattan Singh

....Petitioner.

Versus

Haryana Urban Development Authority, Panchkula and others

...Respondents.

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

PRESENT: Mr. Amit Jhanji, 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 one kanal residential plot to him under the oustees quota in pursuance to his acquired land or to decide the representation dated 13.7.2015 (Annexure P-5) of the petitioner.

2. The petitioner along with other co-sharers was the owner of the land measuring 58 kanal 7 marlas situated in village Bhainsa Tibba, Tehsil and District Panchkula. The said land was acquired by the respondents in the year 1975. As per the policy of the Haryana Urban Development Authority, the oustees were entitled to the allotment of one kanal plot where more than one acre their land was acquired. The petitioner applied for the allotment of one kanal plot as per his entitlement under the oustee quota in Sector 6, MDC, Panchkula vide application (Annexure P-1) and also deposited the requisite amount vide receipt (Annexure P-2). In pursuance

thereto, respondent No.3 vide letter dated 1.5.2015 asked the petitioner to appear along with all the relevant documents for consideration of his claim. In compliance thereto, the petitioner submitted the documents vide letter dated 15.5.2015 (Annexure P-3) along with documents (Annexure P-4 Colly). Accordingly, the petitioner moved a representation dated 13.7.2015 (Annexure P-5) to respondent No.3 for the allotment of a plot in Sector 6, MDC, Panchkula under the oustee 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 13.7.2015 (Annexure P-5) to respondent No.3, but no action has so far been taken thereon. Reliance has been placed upon the orders (Annexure P-5/A and P-6, respectively) passed by this Court and the policy dated 11.8.2016 (Annexure P-7).

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.3 to take a decision on the representation dated 13.7.2015 (Annexure P-5), 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

November 30, 2016
gbs

(HARINDER SINGH SIDHU)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No