
IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

236(1)

Civil Writ Petition No.8042 of 2016
Date of Decision: 23rd August, 2016

Mahender Singh

....Petitioner

versus

State of Haryana and another

...Respondents

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

Present: Mr. Rajwant Singh Chahal, Advocate for the petitioner.

Ms. Shubhra Singh, Addl. A.G., Haryana.

Mr. Sudhir Mittal, Advocate
for respondent No.2-Municipal Corporation, Hisar.

AJAY KUMAR MITTAL, J. (Oral)

1. This order shall dispose of a bunch of seven writ petitions bearing Civil Writ Petition Nos.8042, 8107, 8109, 8131, 8149, 8171 and 8524 of 2016 as learned counsel for the parties state that the issue involved therein is identical. For brevity, the facts are being extracted from Civil Writ Petition No.8042 of 2016.

2. The Improvement Trust, Hissar (in short 'the Trust') held an auction on 28.06.2011 for sale of plots in Pocket-A of the alternative place in Trade and Business Market Scheme Phase-I. The petitioner had purchased Plot No.24 measuring 115 square yards (17.3'x60') for ₹ 1.66 crores and the permission for the same was granted vide letter dated 05.03.2012 (Annexure P-1) by respondent No.2. It has been

averred in the petition that the Trust has now been taken over by the Municipal Corporation, Hissar, hence the Municipal Corporation, Hissar is being impleaded as respondent No.2 who has to provide fundamental conveniences and to hand over the possession of the plot as per Clauses 2 & 3 of the allotment letter. It has further been averred that till today, an amount of ₹ 41.50 lacs had been deposited towards the price of the plot and ₹ 34,25,000/- had been paid on 29.06.2011 towards 25% of the cost of the plot but after passing of more than 5 years, the possession of the plot has not been offered till today on account of which the petitioner is unable to run his business and is suffering huge losses.

3. Learned counsel for the petitioner submits that the possession of the plot in dispute has been offered in the month of July, 2016 but the petitioner has to settle other issues regarding interest, compensation etc. on account of inordinate delay occurred on behalf of respondent No.2. It was submitted that the permission be granted to the petitioner to approach the concerned respondent by filing a detailed and comprehensive representation, however, a direction be issued to respondent No.2 to decide the same in a time bound manner after affording an opportunity of hearing to the petitioner in accordance with law.

4. After hearing learned counsel for the parties, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petitions by granting liberty to the petitioners to file detailed and comprehensive representations raising all the grievances as raised in the present writ petitions before respondent

No.2. It is directed that in the event of representations being filed by the petitioners within a period of one month from the date of receipt of certified copy of this order, the same shall be decided by respondent No.2 in accordance with law by passing a speaking order and after affording an opportunity of hearing to them within a period of two months thereafter.

(AJAY KUMAR MITTAL)
JUDGE

August 23, 2016
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No