

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-18867-2017

Date of Decision: 23.8.2017

Begam Singh

....Petitioner.

Versus

State of Punjab and others

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MR. JUSTICE AMIT RAWAL.**

PRESENT: Mr. Nitesh Singhi, 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 certiorari for quashing the allotment of industrial plot measuring 1000 square yards in favour of respondent No.4 in IT City, Mohali under the category of Freedom Fighter. Further, a writ of mandamus has been sought directing respondents No.1 to 3 to allot the plot in question to the petitioner as he stands at Serial No.3 of the waiting list.

2. Government of India as well as Government of Punjab for the welfare of 100% disable soldiers of Punjab Domicile (N-1) made reservations policy which were also adopted by the Punjab Urban Development Authority (PUDA) and Greater Mohali Area Development Authority (GMADA). Respondent No.3 launched a Scheme on 9.3.2015 (Annexure P-1) for allotment of residential and commercial sites while

of Punjab Domicile and had availed no benefit under the reservation category for the allotment of residential or commercial plot. Respondent No.3 invited applications for allotment of 200 industrial plots in IT City, Mohali vide Scheme dated 3.10.2016 (Annexure P-2). In pursuance thereto, the petitioner applied for the industrial plot by depositing the required amount vide acknowledgment (Annexure P-3). As per the draw of lots, the name of the petitioner figured at Serial No.3 of the waiting list (Annexure P-4) under 100% disable soldiers of Punjab Domicile (N-1) category. The petitioner submitted the requisite documents and fulfilled the formalities of the GMADA. On coming to know that respondent No.4 had been allotted a plot vide application No. 7548 under 100% disable Soldiers of Punjab Domicile (N-1) category as he had already availed the benefit of the said reservation by taking a plot in Urban Estate, Dugri, Phase-3, he moved an application dated 2.2.2017 to the Chief Administrator, GMADA who directed the official respondents to look into the matter, but to no effect. Thereafter, the petitioner made a representation dated 24.5.2017 (Annexure P-5) to respondent No.2 for cancelling the allotment of industrial plot in favour of respondent No.4 and for allotment of plot in question to him, 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 24.5.2017 (Annexure P-5) to respondent No.2, 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 24.5.2017 (Annexure P-5), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner and respondent No.4 within a period of one month from the date of receipt of the certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

August 23, 2017
gbs

(AMIT RAWAL)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No