

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-27763-2017

Date of Decision: 6.12.2017

Dilbag 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. By way of instant 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 500 square yards in favour of respondent No.4 in IT City, Mohali under the category of Riot Affected and Terrorist Affected Families (R). 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.1 in the waiting list.

2. Respondent No.3 while launching the scheme dated 9.3.2015 (Annexure P-1) for the allotment of 334 residential plots at ECO City, Phase II, Greater Mohali Area Development Authority (GMADA) had maintained the reservation policy for the Riot Affected and Terrorist Affected Families

Category (R). The GMADA invited applications for the allotment of 200 industrial plots at IT City, SAS Nagar, Mohali vide scheme dated 3.10.2016 (Annexure P-2). In pursuance thereto, the petitioner being eligible applied for the industrial plot vide acknowledgment receipt, Annexure P-2, by depositing the required amount. The draw of lots was held and the name of the petitioner figured at Serial No.1 of the waiting list (Annexure P-4 Colly) of the Riot Affected and Terrorist Affected Families Category (R). On coming to know that respondent No.4 had already availed the benefits of reservation of the Riot Affected and Terrorist Affected Families Category (R) by getting two plots bearing No. 4198, Sector 68 and 1212, Sector 79, Mohali, had been allotted third plot vide application No. 2847 under the said category, made a representation dated 24.7.2017 (Annexure P-5) along with the previous allotment list (Annexure P-6) to respondent No.3 against the allotment of a plot in favour of respondent No.4. Thereafter, the petitioner made a complaint dated 10.10.2017 (Annexure P-7) to respondent No.2 against the allotment of plot to respondent No.4, 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 complaint dated 10.10.2017 (Annexure P-7) 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 complaint dated 10.10.2017 (Annexure P-7), 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

December 6, 2017
gbs

(AMIT RAWAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No