

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.340 of 2017.

Date of Decision: January 13, 2017

Tilak Raj Gogia

.....Petitioner

versus

The Chief Administrator, Haryana Urban Development Authority and anr.

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Rajesh Kumar, Advocate, for
Mr.Bishan Dass Rana, Advocate, for the petitioner.

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1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Surya Kant, J. (Oral)

It appears that the petitioner applied for waiver of extension fee in respect of Plot No.1067, Sector-28, Urban Estate, Faridabad which was allotted way back on 01.03.1979 and is yet to be constructed. The request of the petitioner was declined and his appeal was also turned down on 18.11.2008. The petitioner again submitted an appeal seeking decision on his representation wherein similar prayer was made. The Administrator, HUDA, Faridabad vide memo dated 14.09.2016 rejected the 2nd representation for the reason that such an appeal already stood rejected on 18.11.2008.

The petitioner thereafter has again sent legal notice on 07.10.2016 to the Chief Administrator, HUDA. He now seeks a writ of mandamus to direct the authorities to consider the legal notice and decide his claim by way of a reasoned order.

Since the Estate Officer and the Administrator, HUDA, Faridabad have already expressed their views against the petitioner, no purpose would be served by directing them to decide the legal notice. The petitioner's claim can be further considered only by the Chief Administrator, HUDA, being the next superior authority. We thus dispose of this writ petition without expressing any views on merits, with a direction to the Chief Administrator, HUDA, to consider and decide the petitioner's claim as contained in the legal notice dated 07.10.2016 by way of a reasoned order, preferably within a period of four months from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

January 13, 2017
mohinder

[SUDIP AHLUWALIA]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No