

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 9397 of 2017

Date of Decision: 4.5.2017

Rohtas Kumar Nehra

....Petitioner.

Versus

Housing Board, Haryana, Panchkula

...Respondent.

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

PRESENT: Mr. Balraj Singh Rathee, 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 Mandamus directing the respondent to carry out the requisite correction (i.e. father name of the petitioner as 'Bhim Singh' instead of 'Bhim Sain Nehra') in the allotment letter dated 10.2.2015 (Annexure P-3) of 'A' type flat allotted to him at Sampla.

2. In the year 2014, the respondent vide advertisement (Annexure P-1) invited applications for multi storey flats for various places for serving/Ex Defence and Para-Military Personnel of Haryana to the Rank of JCOs. The petitioner who served in the Indian Air Force from 21.5.1986 to 31.5.2006, being eligible, applied for type 'A' flat at Sampla vide application (Annexure P-2). In the draw of lots, the petitioner being successful was allotted a flat at Sample vide allotment letter dated 10.2.2015 (Annexure P-3). In the allotment letter, the father name of the petitioner was wrongly

representation dated 27.11.2015 (Annexure P-4) along with affidavit to the respondent for correction of the said mistake, but to no effect. Thereafter, the petitioner served a legal notice dated 22.6.2016 (Annexure P-5) upon the respondent for carrying out necessary correction in the allotment letter dated 10.2.2015 (Annexure P-3), but no response has been received till date. Further, the Chief Secretary, Haryana issued instructions (Annexures P-6 to P-8, respectively) directing all the Departments/Boards/ Corporations in the State of Haryana for expeditious disposal of the legal notice. 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 legal notice dated 22.6.2016 (Annexure P-5) to the respondent, 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 the respondent to take a decision on the legal notice dated 22.6.2016 (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

May 4, 2017
gbs

(RAMENDRA JAIN)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No