

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-12265-2017

Date of Decision: 21.3.2018

Fateh Singh and others

....Petitioners.

Versus

State of Haryana and others

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL  
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

PRESENT: Mr. R.D. Yadav, Advocate for the petitioners.

Mr. Sandeep Moudgil, Additional Advocate General, Haryana.

Mr. Deepak Sabharwal, Advocate for the respondent-HSIIDC.

**AJAY KUMAR MITTAL, J.**

1. In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioners have prayed for issuance of a direction to the respondents to allot plots to the petitioners under the oustees policies dated 7.12.2007 and 9.11.2010 (Annexures P-5 and P-6, respectively).

2. The petitioners were joint owners in possession of the land situated within the revenue estate of village Patli Hajipur, Tehsil Farrukh Nagar, District Gurugram. The respondents acquired the said land vide notification dated 5.2.2010 issued under Section 4 of the Land Acquisition Act, 1894 (in short "the Act") followed by notification dated 11.2.2011 under Section 6 of the Act for setting up an Industrial Model Townships to be planned as an integrated complex for industrial, storage space, railway

siding, industrial, public, semi public use and other public utilities as is clear from the certificates dated 8.5.2017 (Annexures P-1 to P-4, respectively) issued by respondent No.4. The award was passed on 8.2.2013. As per the policies dated 7.12.2007 and 9.11.2010 (Annexures P-5 and P-6, respectively), the petitioners were entitled to the allotment of a plot under the oustees category. However, no plot had been allotted to the petitioners. Accordingly, the petitioners moved a representation dated 7.1.2017 (Annexure P-7) to respondent No.1 with copies to respondents No.2 to 4, but no response has been received till date. Hence, the present writ petition.

3. Learned counsel for the petitioners submitted that for the relief claimed in the writ petition, the petitioners had sent a representation dated 7.1.2017 (Annexure P-7) to respondent No.1 with copies to respondents No.2 to 4, but no action has so far been taken thereon. He, however, prayed that liberty be granted to the petitioners to file a detailed and comprehensive representation before the appropriate authority by incorporating the grievance as raised in the present writ petition and direction be issued to the authority concerned to decide the representation expeditiously in a time bound manner 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 petition by granting liberty to the petitioners to file a detailed and comprehensive representation raising all the pleas as raised in the present writ petition before the appropriate authority. It is directed that in the event of a representation being filed by the petitioners within a period of one month from the date of receipt of the certified copy of

the order, the same shall be decided in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioners within a period of six months from the date of receipt of the representation. The petitioners shall be entitled to lead any evidence to substantiate their claim before the concerned authority.

**(AJAY KUMAR MITTAL)**  
**JUDGE**

**March 21, 2018**  
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**(ANUPINDER SINGH GREWAL)**  
**JUDGE**

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|----------------------------------|---------------|
| <b>Whether Speaking/Reasoned</b> | <b>Yes/No</b> |
| <b>Whether Reportable</b>        | <b>Yes/No</b> |