

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-10760-2018

Date of Decision: 1.5.2018

Yash Pal Arora

....Petitioner.

Versus

Haryana Urban Development Authority, Panchkula and others

...Respondents.

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

PRESENT: Mr. Gaurav Bakshi, 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 mandamus directing the respondents to allot an alternative plot of same size measuring 420 square meter to the petitioner in Sector 57, Gurugram in lieu of disputed plot No.41-P, Sector 50, Gurugram in terms of the exchange policy dated 18.2.2013 (Annexure P-3).

2. The petitioner applied for a residential plot in Sector 57, Gurugram and was allotted plot No.1562-P, Sector 57, Gurugram by respondent No.3 vide re-allotment letter dated 20.6.2015 (Annexure P-1). However, the possession thereof was not delivered to the petitioner. Vide letter dated 10.2.2014 (Annexure P-2), respondent No.3 informed the petitioner that the said plot had gone under litigation and alternative plot

Respondent No.1 framed a policy dated 18.2.2013 (Annexure P-3) regarding exchange of plots. The petitioner vide letter dated 7.7.2014 (Annexure P-4) was informed regarding the allotment of an alternative plot No.41-P, Sector 50, Gurugram. Accordingly, the petitioners sent the representations dated 1.1.2018 and 24.4.2018 (Annexures P-5 and P-6, respectively) to respondents No.3 for the allotment of original plot No.1562-P, Sector 57, Gurugram or an alternative plot of same size, 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 moved the representations dated 1.1.2018 and 24.4.2018 (Annexures P-5 and P-6, respectively) to respondent No.3, 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.3 to take a decision on the representation dated 24.4.2018 (Annexure P-6), 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 the certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

May 1, 2018
gbs

(ANUPINDER SINGH GREWAL)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No