

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-10804-2018

Date of Decision: 2.5.2018

Tirath Ram

....Petitioner.

Versus

State of Punjab and others

...Respondents.

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

PRESENT: Ms. Manpreet Kaur, Advocate for
Mr. Harsh Bungar, 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 a plot to him under the LDP category.

2. The petitioner was co-owner in possession of the land situated within the revenue estate of village Jalandhar-2, Tehsil Jalandhar-I and District Jalandhar as per jamabandi for the year 1999-2000 (Annexure P-1). The said land was acquired by respondent No.3 for the Development Scheme, namely, '70.50 Acres Ranjit Singh Avenue Scheme'. Vide Advertisement dated 12.12.2006, respondent No.2 offered freehold plots for allotment in Maharaja Yadvindra Singh Avenue at the terms and conditions as mentioned in the brochure (Annexure P-2). In response thereto, the petitioner applied for a residential plot of 200 square yards under the LDC category vide application No.50659 along with pay order of ₹ 1,00,000/- vide receipt dated 6.1.2007 (Annexure P-3). Respondent No.3 vide letter dated 17.8.2007 (Annexure P-4) informed the petitioner regarding the receipt of the application under the LDP category. It was

further informed that no application under the LDP category had been called and in case he wanted then his application can be considered under the general category. The petitioner vide letter dated 20.8.2007 (Annexure P-5) informed respondent No.2 that his application be not considered under the general category and be considered only against the LDP category. Thereafter, the petitioner served a legal notice dated 17.2.2018 (Annexure P-6) upon the respondents for the allotment of a plot under the LDP category, 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 legal notice dated 17.2.2018 (Annexure P-6) to the respondents, 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 legal notice dated 17.2.2018 (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 2, 2018
gbs

(ANUPINDER SINGH GREWAL)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No