

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-19907-2017

Date of Decision: 13.3.2018

Harish Sharma 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. Sandeep Sharma, Advocate for the petitioners.

Mr. Sandeep Moudgil, Additional Advocate General, Haryana.

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

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 policy dated 9.11.2010 (Annexure P-1).

2. The petitioners were owners of the land measuring 23 kanal 5 marla situated in village Pattli Hazipur, District Gurugram. The said land was acquired by the respondents vide notification dated 11.2.2011 (Annexure P-2) issued under Section 6 of the Land Acquisition Act, 1894 for the development of Industrial Model Township in Manesar, District Gurugram. Government of Haryana framed a policy dated 9.11.2010 (Annexure P-1) for the allotment of plots/sites to the oustees in lieu of acquisition of land. Accordingly, the petitioners applied for the allotment of plots vide applications and receipts dated 12.3.2013 (Annexures P-3 to P-8,

respectively). However, no plot has been allotted to the petitioners. Hence,

the present writ petition.

3. Learned counsel for the petitioners 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 13, 2018
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(ANUPINDER SINGH GREWAL)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No