

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-1829-2018

Date of Decision: 29.1.2018

Naresh Kumar and another

....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. Hardeep Singh Dhillon, Advocate for
Mr. Vikram Singh, Advocate for the petitioners.

AJAY KUMAR MITTAL, J.

1. In this petition filed under Articles 226/227 of the Constitution of India, the petitioners have prayed for issuance of a writ in the nature of mandamus directing the respondents to consider their claim under Oustees Quota for the allotment of plots and to allot the same to them.
2. The petitioners were owners of the land measuring 4 bigha 19 biswa situated in village Wazirabad, Tehsil and District Gurugram. The said land was acquired by the State of Haryana vide notification dated 7.12.1989 issued under Section 4 of the Land Acquisition Act, 1894 (in short "the Act") followed by notification under Section 6 of the Act for the development of Sectors 52 to 54, Gurugram. The award was passed on 22.2.2007. The petitioners moved applications dated 29.10.2013 along with

demand drafts of ₹ 50,000/- each (Annexures P-1 and P-2, respectively) for the allotment of a plot under Oustees Quota. Thereafter, the petitioners moved a representation dated 24.11.2017 (Annexure P-3) to respondents No.2 and 3 to allot a plot under the Oustees Quota, 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 have sent a representation dated 24.11.2017 (Annexure P-3) to respondents No.2 and 3, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioners, 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 representation dated 24.11.2017 (Annexure P-3), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioners within a period of three months from the date of receipt of the certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

January 29, 2018
gbs

(ANUPINDER SINGH GREWAL)
JUDGE

Whether Speaking/Reasoned

Yes

Whether Reportable

Yes