

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-21924-2017

Date of Decision: 13.3.2018

Manoj Kumar Yadav and another

....Petitioners.

Versus

The 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 18.3.1992 (Annexure P-1)

2. The petitioners were owners of the land which was acquired by the State of Haryana vide award dated 23.3.1993 for the development of Sector 45, Gurugram. Government of Haryana framed a policy dated 18.3.1992 (Annexure P-1) and as per the said policy, the petitioners were entitled to the allotment of a plot. In response thereto, the petitioners applied for the allotment of the plots vide application dated 9.2.1999 (Annexure P-2). The petitioners moved a representation dated 9.2.1999 (Annexure P-3) to the Tehsildar, Gurgaon for supply of certificate duly verified from the

patwari that their 100% land had been acquired by the HUDA, but to no effect. 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
gbs

(ANUPINDER SINGH GREWAL)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No