

**HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.21809 of 2018 (O&M)

Date of Decision: 30.08.2018

Mahinder Singh & Ors.

...Petitioners

VS.

State of Haryana & Ors.

... Respondents

**Coram : Hon'ble Mr.Justice Surya Kant
Hon'ble Mr.Justice Sudip Ahluwalia**

Present: Mr. JS Thind, Advocate for the petitioners

SURYA KANT J. (Oral)

(1) The petitioners have three-fold grievance. Firstly, they are aggrieved by the size of the plot i.e. 27 sq.yards allotted to each one of them in the Auto Market at Sirsa. Secondly, some ineligible persons are alleged to have been allotted plots and after canceling those allotments, the area of those plots be included in the plot size allotted to the petitioners. Their third grievance is against the interest which has been levied from the year 1987, namely, when the scheme was floated.

(2) The writ petition is lacking in terms of requisite pleadings on all three counts. There is no decision taken by any competent authority that the petitioner(s) will be allotted plot(s) of a size more than 27 sq.yards. The petitioners themselves have not explained as to how they are entitled for allotment of plot(s) of more than 27 sq.yards size. Secondly, the alleged ineligible persons have not been impleaded as party respondents. No order adverse to their interest can be passed behind their back. Thirdly, the levying of interest is purely a question of fact for which the petitioner can always seek details from the authorities who will supply the Statement of Accounts as to how the interest has been levied or calculated.

(3) Nevertheless, we deem it appropriate to dispose of the writ petition with a direction to the Deputy Commissioner, Sirsa to treat this writ petition as a representation on behalf of the petitioners; look into their grievances and dispose of the same by passing a reasoned order within four months from the date of receipt of certified copy of this order.

(4) Ordered accordingly.

(Surya Kant)
Judge

30.08.2018

vishal shonkar

(Sudip Ahluwalia)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes
No