

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-24107-2017

Date of Decision: 12.2.2018

Om Parkash Chotani

...Petitioner.

Versus

State of Haryana and others

...Respondents.

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

PRESENT: Mr. Ram Bilas Gupta, Advocate for the petitioner.

Mr. Sandeep Moudgil, Additional Advocate General, Haryana.

Mr. Baldev Raj Mahajan, Senior Advocate with
Mr. Deepak Sabharwal, Advocate for the respondent-HUDA.

AJAY KUMAR MITTAL, J.

1. By way of instant 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/shop to him under the Oustees Policy.

2. The petitioner was owner in possession of the land measuring 11 marlas situated within the revenue estate of Ankhir, Tehsil Ballabgarh, District Faridabad, now Sector 21-D, Faridabad as per his respective share. Government of Haryana has acquired the land situated within the revenue estate of Ankhir, Tehsil and District Faridabad vide notification dated 11.5.1990 issued under Section 4 of the Land Acquisition Act, 1894 for the

21-D, Faridabd. The award was passed on 5.5.1993. On coming to know about the Oustees Policy, the petitioner moved various applications for the allotment of a plot/shop under the oustees quota, but to no effect. Thereafter, the petitioner made a representation dated 24.8.2017 (Annexure P-1) to respondent No.3 for the allotment of a plot/shop under the Oustees Policy, but no response has been received till date. Hence, the present writ petition.

3. Learned counsel for the petitioner submitted that the petitioner has moved a representation dated 24.8.2017 (Annexure P-1) to respondent No.3 for the allotment of a plot/shop under the Oustees Policy, but no action has so far been taken thereon. He, however, prayed that liberty be granted to the petitioner 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 petitioner 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 petitioner 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 petitioner within a period of six months from the date of receipt of the

representation. The petitioner shall be entitled to lead any evidence to substantiate his claim before the concerned authority.

(AJAY KUMAR MITTAL)
JUDGE

February 12, 2018
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(ANUPINDER SINGH GREWAL)
JUDGE

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes