

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Civil Writ Petition No.244 of 2018
Date of decision: January 10, 2018

Prem Sagar and others

....Petitioners

versus

Haryana Urban Development Authority, Panchkula and others

....Respondents

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

Present: Mr. Sunil Kumar Bhardwaj, Advocate for the petitioners.

AJAY KUMAR MITTAL, J. (Oral)

1. The prayer made in this writ petition filed under Articles 226/227 of the Constitution of India, inter alia, is for quashing the impugned action of the respondent-authorities for denying the petitioners for consideration for the allotment of shop in the Auto Market, Hansi against the public notice dated 14.12.2017 (**Annexure P-4**) without passing any speaking order as they have already made representations/legal notice to respondents No.2 & 3 and further for quashing the impugned action for not permitting them to submit their documents with regard to their existence in the Market for the scrutiny going to be conducted from 27.12.2017 to 08.01.2018 and for considering the candidates as per the survey report dated 10.04.2015 (**Annexure P-5**), which is prepared without conducting the physical survey as they are running their business from 1975 onwards.
2. After arguing for sometime, learned counsel for the petitioners submitted that he may be allowed to withdraw the present writ petition

with liberty to the petitioners to file a detailed and comprehensive representation collectively before the Estate Officer, Haryana Urban Development Authority, Hisar-respondent No.3, along with all the supporting material within one week, to substantiate their claim as made in this writ petition. It was further prayed that a time bound direction be issued to the said authority to decide the same after affording an opportunity of hearing to the petitioners and by passing a speaking order in accordance with law.

3. After hearing learned counsel for the petitioners, pursuing the present writ petition and without commenting anything on the merits of the case, the present writ petition stands dismissed as withdrawn by granting liberty to the petitioners to file a detailed and comprehensive representation collectively appending all the necessary and relevant documents to support their claim before respondent No.3 within one week from the date of receipt of certified copy of this order. In case, such a representation is filed, the same shall be decided by the said authority by passing a speaking order and after affording an opportunity of hearing to the petitioners within next two weeks in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

January 10, 2018
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Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No