

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-2793-2018

Date of Decision: 7.02.2018

Resident Welfare Association, Urban Estate, Sector 23, Sonapat
....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. Shilak Ram Hooda, Advocate for the petitioner.

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 certiorari for quashing the notice dated 2.9.2017 (Annexure P-3) issued by respondent No.3 raising demand of enhanced compensation from the members of the petitioner. Further, a writ of mandamus has been sought directing the respondents to re-calculate the amount to be recovered from the members of the petitioner as mentioned in the list, Annexure P-2.

2. The petitioner is a registered Welfare Association for looking into welfare of its members, the residents and plot/houseowners of Sector 23, Urban Estate, Sonapat as per list, Annexure P-2. Vide resolution dated 26.11.2017 (Annexure P-1), Shri Rajesh Kumar Malik has been authorized to file the present writ petition. The demand notices including the demand notice dated 2.9.2017 (Annexure P-3) have been issued to the members of

the petitioner claiming payment of enhanced compensation. Accordingly, the members of the petitioner made a representation dated 20.10.2017 (Annexure P-4) to respondent No.3 for withdrawal of the notice, Annexure P-3, but no response has been received till date. Reliance has been placed upon the orders (Annexures P-5 and P-6, respectively) passed by this Court. Hence, the present writ petition.

3. Learned counsel for the petitioner submitted that for the relief claimed in the writ petition, the petitioner has sent a representation dated 20.10.2017 (Annexure P-4) to respondent No.3, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioner, 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.3 to take a decision on the representation dated 20.10.2017 (Annexure P-4), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner within a period of three months from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

February 7, 2018
gbs

(ANUPINDER SINGH GREWAL)
JUDGE

Whether Speaking/Reasoned

Yes

Whether Reportable

Yes