

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-2993-2018

Date of Decision: 9.02.2018

Nadeem Ahmed

....Petitioner.

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. Suneet Singh Deol, Advocate for
Mr. Vikram Singh, Advocate for the petitioner.

AJAY KUMAR MITTAL, J.

1. In this writ 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 respondent No.2 to consider his representation dated 19.6.2017 (Annexure P-6) for restoration of plot No. 2561, Sector 57, Gurugram.

2. The petitioner was allotted plot No. 2561, Sector 57, Gurugram vide allotment letter dated 2.2.2005 (Annexure P-1). Since the plot in question was in dispute, the petitioner moved an application for the allotment of alternative plot. Vide allotment letter dated 23.6.2014 (Annexure P-2), the petitioner was allotted alternative plot No. 913, Sector 57, Gurugram. The Estate Officer-II, HUDA, Gurgaon vide letter dated 8.3.2016 (Annexure P-3) allotted plot No. 913, Sector 57 to Shri Satish Kumar Malik and Smt. Meena Malik. Vide letter dated 15.6.2016

balance payment of plot No.913, Sector 57 from the petitioner. The respondents had framed a policy dated 18.2.2013 (Annexure P-5) regarding exchange of plots where the HUDA could not deliver the plots due to litigation pending in the Courts or the plots were not actually available on the ground. Accordingly, the petitioner moved a representation dated 19.6.2017 (Annexure P-6) to respondent No.3 for restoration of plot No. 2561, Sector 57, Gurugram, but to no effect. Thereafter, the petitioner made another representation dated 23.1.2018 (Annexure P-7) to respondent No.1, but no response has been received till date. Hence, the present writ petition.

3. Learned counsel for the petitioner submitted that for the relief claimed in the writ petition, the petitioner has made the representations dated 19.6.2017 and 23.1.2018 (Annexures P-6 and P-7, respectively) to respondents No.3 and 1, 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.2 to take a decision on the representation dated 19.6.2017 (Annexure P-6), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner within a period of two months from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

February 9, 2018
gbs

(ANUPINDER SINGH GREWAL)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No