

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-5065-2018

Date of Decision: 1.3.2018

Jai Parkash

....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. Vikram Singh, Advocate for the petitioner.

AJAY KUMAR MITTAL, J.

1. In this 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 the representations dated 31.1.2014 and 16.2.2016 (Annexures P-5 and P-7, respectively) for restoration of plot No. 3399, Sector 57, Gurugram or any other alternative plot.

2. Originally, the petitioner was allotted plot No.3399, Sector 57, Gurugram measuring 8 marla vide allotment letter dated 10.2.2005 (Annexure P-1). Since there was a dispute on the said plot, the petitioner moved an application for allotment of other alternative plot and vide letter dated 10.3.2012 (Annexure P-2) alternative plot No.925, Sector 57, Gurugram was allotted to the petitioner. Thereafter, plot No.925, Sector 57, Gurugram was re-allotted to the petitioner vide re-allotment letter dated 2.1.2013 (Annexure P-3) submit to offer possession. The possession was given to the petitioner vide possession certificate (Annexure P-4) by increasing the area from 213.732 to 255.623 yards. The petitioner made a

restoration of the original plot in view of the policy dated 18.2.2013 (Annexure P-6). Vide representations dated 16.2.2016 and 2.11.2017 (Annexures P-7 and P-8, respectively), the petitioner requested respondents No.4 for alternative plot in lieu of plot No. 925, Sector 57, Gurugram, but to no effect. Thereafter, the petitioner made a representation dated 23.12.2017 (Annexure P-9) to respondent No.4 for the allotment of alternative plot in lieu of plot No.925, Sector 57, Gurugram and for restoration of plot No.3399, Sector 57, Gurugram or any other alternative plot as per the policy dated 18.2.2013, 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 various representations including the representation dated 23.12.2017 (Annexure P-9) to respondent No.4, 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.4 to take a decision on the representation dated 23.12.2017 (Annexure P-9), 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 the certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

March 1, 2018
gbs

(ANUPINDER SINGH GREWAL)
JUDGE

Whether Speaking/Reasoned
Whether Reportable

Yes/No
Yes/No