

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Civil Writ Petition No.565 of 2018
Date of decision: February 12, 2018

Gulshan Kumar

....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. Madan Pal, Advocate for the petitioner.

AJAY KUMAR MITTAL, J. (Oral)

1. The prayer in this petition filed under Article 226 of the Constitution of India is for issuance of a writ in the nature of certiorari for setting aside the instructions dated 04.12.2015 and 11.08.2016 **(Annexures P-13 & P-14)** respectively and to direct the respondents to allot 250 sq. yards plot to the petitioner separately as per his share as per old rate under oustees plots policy since the land was acquired situated in Sections 13 & 17, Panipat in specified time.

2. Learned counsel for the petitioner, at the outset, submitted that the case of the petitioner is governed by the Full Bench judgment of this Court in **Civil Writ Petition No.22252 of 2016**, titled as **Rajiv Manchanda and others vs. Haryana Urban Development Authority and another**, decided on 22.11.2017 and the petitioner being a co-sharer, is also entitled to get separate plot. Learned counsel further submitted that since no representation has been filed with the

concerned authority making a claim as sought in the present writ petition, permission may be granted to the petitioner to file a detailed and comprehensive representation before respondent No.4 within one month. However, a prayer was made that time bound direction be issued to the said authority to decide the same after affording an opportunity of hearing to the petitioner and by passing a speaking order in accordance with law.

3. After hearing learned counsel for the petitioner, perusing the present writ petition and without commenting anything on the merits of the case, the present writ petition is disposed of by granting liberty to the petitioner to file a detailed and comprehensive representation, laying claim as sought in the present writ petition before respondent No.4 within one month 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 petitioner within next six months in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

February 12, 2018
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Whether speaking/reasoned?	Yes
Whether reportable?	Yes