

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-6057-2018

Date of Decision: 13.3.2018

Jagdeep Singh Rekhi

....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. S.P. Soi, 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 the respondents to consider his claim for the allotment of a plot under the oustees quota.

2. The petitioner and his father owned land in Ambala City which was acquired on 31.8.1987 and various awards were passed. The father of the petitioner, namely, Shri Darshan Singh Rekhi had expired on 15.2.2000 as is clear from the death certificate dated 17.2.2000 (Annexure P-1). Said Shri Darshan Singh Rekhi had filed two LPAs bearing LPA Nos. 895 and 898 of 1999 along with his brothers and vide order dated 20.4.2000 (Annexure P-2), the petitioner and his brother Harkanwaldeep Singh Rekhi were impleaded as legal heirs of Late Shri Darshan Singh Rekhi. The

statement of made by the counsel for the respondents therein, the said writ petition was disposed of as infructuous by this Court vide order dated 15.6.2017 (Annexure P-3). When the respondents failed to comply with the undertaking given in the said writ petition, a contempt petition was filed and this Court vide order dated 18.12.2017 (Annexure P-4) issued notice to the respondent along with a direction to the Estate Officer to be personally present in the Court. Further, this Court vide order dated 24.1.2018 (Annexure P-5), adjourned the case to 19.4.2018. The brother of the petitioner was called by the respondents and a meeting of the screening committee was held. The petitioner who had also filed CWP-14215-2015 which was allowed by this Court, made a representation dated 24.8.2012 (Annexure P-6) followed by a reminder dated 14.8.2013 (Annexure P-7) to respondents No.2 and 4 for the allotment of a plot under the oustees quota, but to no effect. Thereafter, the petitioner moved the representations dated 21.2.2018 and 3.3.2018 (Annexures P-8 and P-9, respectively) to respondents No.4 and 3 for the allotment of a plot under the oustees quota, 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 sent the representations dated 21.2.2018 and 3.3.2018 (Annexures P-8 and P-9, respectively) to respondents No.4 and 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.4 to take a decision on the representation dated 3.3.2018 (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 13, 2018
gbs

(ANUPINDER SINGH GREWAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No