

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-7370-2018

Date of Decision: 23.3.2018

Shiv Shankar Bhardwaj

....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. R.S. Mamli, 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 the respondents to allot a plot to him under the oustees quota in lieu of acquisition of land.

2. The petitioner was owner of the land measuring 19 kanal 10 marla to the extent of his share situated within the revenue estate of village Silokhera, Tehsil and District Gurgaon. The said land was acquired by the respondents. The petitioner applied for the allotment of a plot under oustees quota vide application dated 29.7.2015 (Annexure P-1) along with an affidavit dated 17.7.2015 (Annexure P-2) to the effect that he had not availed the benefit of the oustees quota and the earnest money of ₹ 50,000/- by way of cheque dated 22.7.2015 (Annexure P-3). The land in question came to the petitioner vide mutation, Annexure P-4, after the death of his

petitioner till date. Hence, the present writ petition.

3. Learned counsel for the petitioner has prayed that liberty be granted to the petitioner to file a detailed and comprehensive representation before the appropriate authority by incorporating the grievance as raised in the present writ petition and direction be issued to the authority concerned to decide the representation expeditiously in a time bound manner in accordance with law.

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 granting liberty to the petitioner to file a detailed and comprehensive representation raising all the pleas as raised in the present writ petition before the appropriate authority. It is directed that in the event of a representation being filed by the petitioner within a period of one month from the date of receipt of the certified copy of the order, the same shall be decided in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner within a period of six months from the date of receipt of the representation. The petitioner shall be entitled to lead any evidence to substantiate his claim before the concerned authority.

(AJAY KUMAR MITTAL)
JUDGE

March 23, 2018
gbs

(ANUPINDER SINGH GREWAL)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No