

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-8607-2018

Date of Decision: 6.4.2018

Shamsher Singh

....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. Rajesh Bansal, 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 or in the alternative to decide the legal notice dated 24.4.2017 (Annexure P-2).

2. The petitioner was owner in possession of the land measuring 2 bigha 2 biswa situated within the revenue estate of village Taraf Insar, District Panipat. The said land was acquired by the State of Haryana vide award dated 21.2.1992 for the development of Sector 17, Panipat. The petitioner moved a representation dated 15.12.2016 (Annexure P-1) to respondent No.4 for the allotment of a plot under the oustees quota, but to no effect. Thereafter, the petitioner sent a legal notice dated 24.4.2017 (Annexure P-2) to respondents No.2 and 4 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 moved a representation dated

15.12.2016 (Annexure P-1) to respondent No.2 followed by a legal notice dated 24.4.2017 (Annexure P-2) to respondents No.2 and 4, but no action has so far been taken thereon. He, however, 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

April 6, 2018
gbs

(ANUPINDER SINGH GREWAL)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No