

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-8821-2018

Date of Decision: 6.4.2018

Umesh Mattoo

....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. Gaurav Bakshi, 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 an alternative plot of same size measuring 171 square meters to him in Sector 45, Gurugram in lieu of plot No.1076, Sector 52, Gurugram in terms of policy dated 18.2.2013 (Annexure P-3).

2. The petitioner purchased plot No.1076, Sector 52, Gurugram which was allotted by respondent No.2 vide re-allotment letter dated 8.11.2005 (Annexure P-1). However, the possession of the said plot was not offered by respondent No.3. The petitioner moved the representations dated 25.9.2006, 28.5.2009, 2.7.2012, 13.9.2015 and 9.9.2017 (Annexure P-2 Colly) to respondent No.3 for the allotment of an alternative plot. Respondent No.1 framed a policy dated 18.2.2013 (Annexure P-3)

regarding exchange of plots. Thereafter, the petitioner sent a representation

dated 4.4.2018 (Annexure P-4) to respondent No.3 for allotment of an alternative plot in Sector 45, Gurugram in lieu of plot No.1076, Sector 52, Gurugram, 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 4.4.2018 (Annexure P-4) to respondent No.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.3 to take a decision on the representation dated 4.4.2018 (Annexure P-4), 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

April 6, 2018
gbs

(ANUPINDER SINGH GREWAL)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No