

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-9214-2018

Date of Decision: 18.4.2018

Sunil Rai

....Petitioner.

Versus

State of Punjab and another

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

PRESENT: Mr. S.S. Salar, Advocate for the petitioner.

AJAY KUMAR MITTAL, J.

1. By way of instant 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 respondent No.2 to execute the conveyance deed in his favour regarding plot No71-C, Shaheed Bhagat Singh Nagar, Ludhiana.

2. Respondent No.2 acquired certain land of the petitioner for implementation of development scheme for residential purpose. The petitioner applied for the allotment of a plot under the Local Displaced Persons Category along with earnest money. However, no plot was allotted to the petitioner. Accordingly, the petitioner filed a complaint bearing CC-24-2008 before the State Consumer Disputes Redressal Commission, Punjab which was allowed vide order dated 28.1.2009 (Annexure P-1)

holding the petitioner entitled to the allotment of 500 square yard plot as local displaced person. When the said order, Annexure P-1, was not complied with, the petitioner filed execution application. Respondent No.2 filed an appeal before the National Consumer Disputes Redressal Commission, New Delhi. The said execution application was dismissed as withdrawn with liberty to the petitioner to file the same again after the decision of the appeal. The appeal filed by respondent No.2 was also dismissed by the National Commission vide order dated 28.1.2004. The petitioner again filed the execution application and in compliance therewith, the petitioner was allotted plot No. 71-C, Shaheed Bhagat Singh Nagar, Ludhiana vide allotment letter dated 25.7.2014 (Annexure P-2). The petitioner deposited the requisite amount and requested respondent No.2 to execute the conveyance deed in his favour, but to no effect. Accordingly, the petitioner moved a representation dated 24.1.2018 (Annexure P-3) to the respondents for execution of conveyance deed regarding the plot in question. 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 a representation dated 24.1.2018 (Annexure P-3) to the respondents, 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.2 to take a decision on the representation dated 24.1.2018 (Annexure P-3), in accordance with law by passing a speaking order and after affording an

opportunity of hearing to the petitioner within a period of one month from the date of receipt of the certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

April 18, 2018
gbs

(ANUPINDER SINGH GREWAL)
JUDGE

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