

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

Sr. No.235

**CWP No.20006 of 2018
Date of decision : 12.9.2019**

Urmila Kakkar and others

..... Petitioners

VERSUS

State of Punjab and others

..... Respondents

**CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY
HON'BLE MR. JUSTICE SUDHIR MITTAL**

Present: Mr. Arav Gupta, Advocate, for the petitioners.

Mr. Ayush Sarna, AAG, Punjab.

Mr. Rupinder Khosla, Sr. Advocate with
Mr. Raj Partap Singh Brar, Advocate, for respondents No.2 and 3.

DAYA CHAUDHARY, J. (Oral)

The petitioners are aggrieved by order dated 24.7.2018 (Annexure P-7), whereby their claim for extension of time in raising construction on their plots in Eco-city-I, New Chandigarh, has been rejected without passing any order or without giving any reason.

Learned counsel for the petitioners submits that as per terms and conditions of the allotment letter, only two conditions have been accepted, but still claim of the petitioners qua to period of extension of time has been rejected.

However, learned counsel for GMADA submits that the petitioners are subsequent purchasers and five years' period is only for original allottee. In case of the petitioners, time period for raising construction is three years.

On perusal of impugned order, it shows that reasons have not been mentioned therein and simply it is mentioned that request letter/claim of the petitioners has been considered and the same has been declined. Passing of non-speaking order is bad in law.

The present petition is disposed of with direction to the petitioners to give a detailed representation to the competent authority i.e. respondents No.2 and 3 by mentioning therein as to what are the two conditions, which have been accepted, within a period of two weeks after the date of receipt of certified copy of this order. The respondent-authority is directed to consider the detailed representation filed by the petitioners and to pass an order in accordance with law, within a period of two weeks. The respondent-authority is also directed to hear the petitioners personally before taking any action.

(DAYA CHAUDHARY)
JUDGE

(SUDHIR MITTAL)
JUDGE

12.9.2019
Ramandeep Singh
Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No