

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

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CWP No.6265 of 2020.

Date of Decision: 15.07.2022.

Nachhatar Singh

....Petitioner.

Versus

State of Punjab and another

....Respondents.

**CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH
HON'BLE MR. JUSTICE LALIT BATRA**

Present: Mr. Divyam Dhakla, Advocate for
Mr. Rakesh Gupta, Advocate for the petitioner.

Amol Rattan Singh, J. (Oral)

Vide this petition, the petitioner seeks a direction to respondent No.2 to deliver vacant possession of Plot No.425D in the Shaheed Bhagat Singh Nagar Scheme, Ludhiana, to the petitioner; and to execute a sale deed in his favour, with the petitioner further seeking a direction to respondent No.2 to decide the legal notice dated 01.08.2019 (Annexure P/7), and to return the entire amount of Rs.23,30,900/- to the petitioner alongwith applicable interest, in case of failure to deliver possession within the stipulated period granted by this court.

Learned counsel for the petitioner first points to the order passed by a co-ordinate bench of this court, on 28.05.2012 in the petition earlier filed by the petitioner, bearing CWP No.10286 of 2012.

The operative part of the order reads as follows:-

“We have heard counsel for the parties and as we have already disposed of similar writ petitions on statement made by counsel for Ludhiana Improvement Trust, that the petitioner(s) would be allowed to participate in the draw of lots, subject to their eligibility, we dispose of this writ petition by directing Ludhiana Improvement Trust, to allow the petitioner to participate in the draw of lots to be held on 30.05.2012, or on any other date as is fixed by the Ludhiana Improvement Trust, if found eligible.”

He submits that thereafter the respondent Improvement Trust in fact allotted the petitioner a plot as communicated to him vide the letter Annexure P/5, dated 11.02.2019, with it seen that he was directed to take possession of Plot No.425D measuring 125 square yards in Shaheed Bhagat Singh Nagar Scheme, Ludhiana.

(Learned counsel has pointed out that actually the plot number as per the vernacular version of Annexure P/5, is Plot No.425D and has been mistyped as Plot No.424D in the translation thereof).

However, he submits that despite the petitioner having made a representation thereafter even on 21.02.2019 and having got issued a legal notice on 01.08.2019 (copies Annexures P/6 and P/7 respectively), the respondents have taken no action whatsoever in actually handing over possession of the plot.

Having considered the matter, the petition is disposed of with a direction to the respondents to take a decision on the aforesaid legal notice got issued by the petitioner by passing a speaking order after duly hearing the petitioner, within a period of two months from the date of receipt of a certified copy of this order.

(AMOL RATTAN SINGH)
JUDGE

(LALIT BATRA)
JUDGE

15.07.2022
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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No