

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

CWP-3345-2022 (O&M)

Date of Decision: 22.02.2022

Gaurav Pathak and another

..... Petitioners

versus

State of Haryana and others

..... Respondents

**CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA
HON'BLE MR. JUSTICE LALIT BATRA**

Present: Ms. Ritu Pathak, Advocate and
Mr. Arif Qureshi, Advocate for the petitioners.

TEJINDER SINGH DHINDSA, J. (ORAL)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Petitioners have filed the instant petition seeking a mandamus directing the competent respondent-authority i.e. the Estate Officer, HUDA, (now HSVP), Kurukshetra, Haryana to issue re-allotment letter in favour of the petitioners with regard to House No. 969, Sector 5, Urban Estate, Kurukshetra.

It has been pleaded that the plot afore-noticed was initially allotted to one Rita Aggarwal in the year 1987. Thereafter the plot was sold/re-sold on a number of occasions and the fourth re-allotment letter was issued in favour of Mr. Ranbir Singh on 08.12.2006. On 04.05.2007 the

petitioners herein are stated to have purchased the plot/house from

Mr.Ranbir Singh vide registered sale deed dated 04.05.2007 registered in the office of Registrar, Tehsil Thanesar, District Kurukshetra. It has also been pleaded that prior to registration of the sale deed, vide memo dated 30.04.2007 permission to transfer had been accorded by the competent authority. 'The petitioners are stated to be in physical possession of the premises since the year 2007.

Precise grievance raised in the petition is that inspite of the respondent-authorities having been approached repeatedly, the re-allotment letter in respect of the plot/house has not been issued and neither have any reasons been conveyed to decline the same.

During the course of hearing, counsel make a statement that they would be satisfied if the writ petition was to be disposed of with a direction to the Estate Officer, HSVP, Kurukshetra, Haryana i.e. the 3rd respondent to examine the matter and to take a final decision on a legal notice dated 20.01.2022 (Annexure P-9) that has already been served.

We find the submission to be just and reasonable.

Without even ascertaining the correctness of the averments made in the petition and without opining on the merits of the case, we dispose of the instant writ petition with a direction to the Estate Officer, HSVP, Kurukshetra, Haryana i.e. respondent No.3 to take a final decision on the legal notice dated 20.01.2022 (Annexure P-9) expeditiously and in any case within a period of eight weeks from the date of receipt of a certified copy of this order.

In the eventuality of there being any impediment in issuance of the re-allotment letter for the house/plot in question in favour of the

petitioners, a reasoned speaking order would be passed and would be duly conveyed.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

(LALIT BATRA)
JUDGE

22.02.2022
sunita

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No