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

CWP-3483-2023

Date of decision : 21.02.2023

Ram Devi and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

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

Ms. Upasana Dhawan, AAG, Haryana,
for respondent Nos.1 and 2.

VIKAS BAHL, J. (ORAL)

This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus for issuance of directions to respondents to permit the petitioners to purchase/allot the quarters (having area of 64 square yards only) in their occupation/possession at collector rate, in view of policy dated 28.03.1989 (Annexure P-7) and the Instructions dated 01.02.2006 (Annexure P-7A) and also in view of law laid down by this Court in CWP-9790-2018 titled as “M/s Personnel Management Association (Regd.) Vs. State of Haryana and others”, decided on 31.01.2017 (Annexure P-9) as well as CWP-22713-2013 titled as “Jagdish Lal and others Vs. State of Haryana and others” decided on 07.02.2017 (Annexure P-10).

Learned counsel for the petitioners has submitted that for the grievances raised in the present Civil Writ Petition, detailed representation dated 30.10.2022 (Annexure P-12) has been given by the petitioners to the respondents including respondent No.3-Commissioner, Municipal Corporation,

Ambala City and in the said representation, background with respect to the petitioners being poor persons in occupation of land, building and shops at a rate less than Rs.500/- per month has been given and also the details of the policy dated 28.03.1989 as well as instructions dated 01.02.2006 has been given.

Learned counsel for the petitioners has further submitted that in the said representation, reference has also been made to the orders passed by a Coordinate Bench of this Court in similar circumstances allowing the plea of persons who were similarly placed as the present petitioners.

Learned counsel for the petitioners has submitted that the petitioners would be satisfied at this stage, in case, respondent No.3 is directed to decide the said representation dated 30.10.2022 (Annexure P-12) in a time bound manner.

Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with directions to respondent No.3 to consider and decide the representation dated 30.10.2022 (Annexure P-12) within a period of six weeks from the date of receipt of certified copy of the present order, in accordance with law. While deciding the said representation, the judgments passed by the Coordinate Bench of this Court as referred in the representation be also taken note of.

It is, however, made clear that this Court has not opined on the merits of the case of the petitioners and respondent No.3 would decide the same, in accordance with law.

21.02.2023*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:- Yes/No****Whether reportable:- Yes/No**