

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARHCM-11691-CWP-2023 IN/AND
CWP-15560 of 2023
DATE OF DECISION: 24.07.2023

JAGJEET SINGH

.....PETITIONER

Vs.

HARYANA SHEHRI VIKAS PRADHIKARAN AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA
HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Jitender Nara, Advocate, for the petitioner.

G.S.SANDHAWALIA, J. (ORAL)CM-11691-CWP-2023

Application for leave to filing the present petition without
Number of Roll of Advocate, is allowed, as prayed for.

CRM stands disposed of.

CWP-15560-2023

1. The present writ petition has been filed under Article 226/227 of the Constitution of India and challenges the instructions dated 18.02.2013 (Annexure P-19) whereby the right of the petitioner as an 'Original Allottee' for the allotment of an alternate plot in lieu of the original plot has been curtailed, vide memo No. A-7-2021/UB/194927, issued on 15.11.2021 (Annexure P-20).

2. A perusal of the writ petition would go on to show that no specific order has been passed rejecting the case of the petitioner. It however, transpires that one Santosh Devi was allotted Plot No.962 GP,

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Sector-11, Urban Estate, Bahadurgarh, on 29.11.2010 (Annexure P-1), which plot was further re-allotted to one Man Singh on 09.03.2011 (Annexure P-2). The petitioner is stated to be a beneficiary of the re-allotment on 17.06.2011 (Annexure P-4) of the plot measuring 96 square meters and had to deposit the amount in 06 equal installments as per the re-allotment letter. It is the case of the petitioner that he has paid the installments within time and there are also demands towards the additional price on account of enhancement raised upon him. However, on account of litigation as such, he has not been able to get possession. Reference is also made to various representations dated 08.12.2020/09.12.2020 (Annexure P-9) and 04.02.2021 (Annexure P-10) for an alternate plot. Apart from the representations, he has also sent a legal notice dated 10.12.2021 (Annexure P-14).

3. Notice of motion.

4. On the asking of the Court, Mr. Deepak Sabherwal, Advocate, who is present in Court accepts notice on behalf of the respondents-HSVP.

5. Keeping in view the above, we do not deem fit to call upon the respondents to file reply.

6. Consequently, we are of the considered opinion that it is necessary for the respondents to take a decision firstly, on the said representations and the legal notice as apparently the respondents have also accepted the installments as noticed above, after re-allotment.

7. Accordingly, let respondent No. 1 take a decision on the said issue within a period of 08 weeks from the date of receipt of the certified copy of this order.

8. In case the petitioner is not entitled to the benefit, a well speaking and reasoned order be passed by the respondents which shall be communicated to the petitioner, so that he can challenge the same in accordance with law.
9. The petition is accordingly disposed of.

(G.S. SANDHAWALIA)
JUDGE

July 24, 2023
nitin

(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes
Whether Reportable	No