

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

(121)

**CWP-15615-2023
Decided on : 24.07.2023**

Vinod Kumar

.....Petitioner(s)

Versus

State of Haryana and another

.....Respondent(s)

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

Present: Mr. Abhimanyu Singh, Advocate for the petitioner (s).

G.S. Sandhawalia, J. (Oral)

The present writ petition under Article 226/227 of the Constitution of India has been filed for directing the official respondent i.e. respondent No.2 to provide possession of the allotted EWS Flat to the petitioner, in pursuance to the allotment letter dated 21.09.2011 (Annexure P-1). A legal notice dated 17.06.2021 (Annexure P-5) has also been served upon the respondents.

2. We have perused the paper-book. It is apparent that allotment letter was issued in favour of the petitioner's father Bharat Singh a decade earlier regarding a flat bearing RegistrationNo.986 in Sector-5, Hansi, District Hisar and final registration No.464, vide allotment letter dated 21.09.2011 (Annexure P-1). The petitioner's father is stated to have expired on 08.01.2018 (Annexure P-3). The petitioner claimed the benefit on the basis of the Will dated 21.05.2009, which has been appended as (Annexure P-4). The legal notice also gives the history of the allotment.

3. It is the case of the petitioner that he has not got any information from the respondent-Board as to the status of the flat, which was allotted to his father. In the legal notice reference to Flat No.1352, Second Floor, Housing Board Colony, Hansi has been given.
4. Notice of motion.
5. Mr. Aman Bahri, Addl. AG, Haryana and Mr. Deepak Sabherwal, Advocate accept notice on behalf of respondent Nos.1 & 2 respectively.
6. Keeping in view the fact and controversy involved and the fact that the decision making is still incomplete, we do not deem it fit to call the respondents for filing reply.
7. Resultantly, since there is no official rejection of the case of the petitioner, we deem it fit to direct the said respondent No.2 to decide the legal said notice within a period of 8 weeks from the receipt of the certified copy of this order and pass a speaking order as to the entitlement of the petitioner, if any. Needless to say that we are not commenting upon the veracity of the Will dated 21.05.2009 (Annexure P-3).
8. Disposed of.

(G.S. SANDHAWALIA)
JUDGE

(HARPREET KAUR JEEWAN)
JUDGE

24.07.2023
Naveen

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