IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(142)

CWP-17093-2023
Date of decision: - 07.08.2023

Haryana State Agricultural Marketing Board Employees Welfare Union

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Rajnish K. Gupta, Advocate,
for the petitioner.

Ms. Rajni Gupta, Additional Advocate General, Haryana
for respondents No.1 to 6.

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VIKAS BAHL, J. (ORAL)

1. Present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus thereby directing the respondents to allot the houses in Haryana State Agricultural Marketing Board (HSAMB) Residentail Colony, Sector 14, Panchkula as per the seniority and as per the Haryana State Agricultural Marketing Board House Allotment Rules, 1999 and to the employees of the HSAMB and not to accommodate the employees of other departments.

2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner, the petitioner has given a representation dated 31.05.2023 (Annexure P-10/T) to respondent

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No.2/Chairman, Haryana State Agricultural Board, Panchkula and the petitioner would be satisfied in case respondent No.2 is directed to consider the said representation and, in case the pleas raised by the petitioner are found to be meritorious, then, to take appropriate action in accordance with law.

3. Learned State counsel appearing on behalf of respondents No. 1 to 6 has submitted that respondent No.2 would consider the said representation dated 31.05.2023 (Annexure P-10) as expeditiously as possible, preferably, within a period of two months from the date of receipt of certified copy of this order and after considering the same, in case respondent No.2 is of the opinion that the pleas raised by the petitioner are meritorious and action is required to be taken against any allottee, then, the appropriate action would be taken after giving due opportunity to the said allottee to raise his defence.

4. Keeping in view the above-said facts and circumstances, the present petition is disposed of with a direction to respondent No.2 to consider the representation dated 31.05.2023 (Annexure P-10/T), as expeditiously as possible, preferably, within a period of two months from the date of receipt of certified copy of this order. In case after considering the same, respondent No.2 is of the opinion that the pleas raised by the petitioner are meritorious and action is required to be taken against any allottee, then, the same be done after giving due opportunity to the said allottee to raise his defence. In case respondent No.2 is of the opinion that the pleas raised by the petitioner are meritless, then, a speaking order rejecting the claim of the petitioner be passed within a period of two

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months from the date of receipt of certified copy of this order.

5. It is made clear that this Court has not opined on the merits of the case and respondent No.2 would consider the said representation independently, in accordance with law.

(VIKAS BAHL)
JUDGE

August 07, 2023
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Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No

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