

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(111)

CWP-19486-2023

Decided on : 04.09.2023

Narinder & others

...Petitioner(s)

Versus

State of Haryana & others

.....Respondent(s)

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MR.JUSTICE ALOK JAIN**

Present: Mr.Rajesh Malik, Advocate for the petitioner (s).

Mr.Deepak Sabherwal, Advocate, for respondents No.2 to 4.

G.S. Sandhawalia, J. (Oral)

Prayer in the present writ petition, filed under Article 226/227 of the Constitution of India is for issuance of direction to the respondents for allotment of plots to the petitioners in compliance of the term of the judgment passed in CWP-28567-2013 titled *Mahinder Singh & others Vs. Financial Commissioner & Principal Secretary to Government of Haryana, Industries & Commerce Department, Haryana Civil Secretariat, Chandigarh & others* decided on 10.08.2015 (Annexure P-4) in terms of the Rehabilitation & Resettlement Policy dated 09.11.2010 (Annexure P-6).

2. It is the case of the petitioners that other similarly situated landowners, for the same notification dated 01.04.2010 issued under Section 4 of the Land Acquisition Act, 1894, have already been allotted the plots but the petitioners have been deprived of the said benefit.

3. Counsel for the petitioners submits that petitioners have already served a legal notice dated 25.07.2023 (Annexure P-8) for the said relief. He has further brought to our notice that similarly situated persons had approached this Court in CWP-10594-2020 titled *Om Kavar Vs. State of Haryana & others* in which initially there was a stay of allotment of plots vide order dated 27.07.2020 (Annexure P-9) which was eventually vacated on 26.10.2020 on the ground that the necessary relief had been granted to the petitioners and plots have been allotted to them but the area is without any infrastructure and in such circumstances, the writ petition is still pending. Said order reads as under:

“The case has been taken up through video conferencing in the light of the pandemic Covid-19 situation and as per instructions.

Learned State counsel informs that necessary relief has been allowed to the petitioners and all other similarly placed persons. However, learned counsel for the petitioner(s) states that the area wherein the plots have been allotted is without any infrastructure and the petitioner(s) cannot operate therefrom.

In view of the statement made by learned Advocate General, Haryana, the interim order dated 27.7.2020 is recalled.

Post again on 15.2.2021.

Replication, if any, be filed within four weeks.

A photocopy of this order be placed on the file of other connected case.”

4. Notice of motion.
5. Mr.Sabherwal accepts notice on behalf of respondents No.2 to 4.
6. Keeping in view the fact that the case of the petitioners is still pending consideration and a decision is yet to taken on the same, we deem it fit not to call upon the respondents to file reply at this stage as it would only delay the decision making process.
7. Accordingly, keeping in view the above, let respondent No.2 take a decision on the legal notice dated 25.07.2023 (Annexure P-8) within a period of 8 weeks of the receipt of certified copy of this order. In case the relief is not admissible, then a reasoned order be passed and communicated to the petitioners so that they can seek their legal redressal, if they so desire.

(G.S. SANDHAWALIA)
JUDGE

(ALOK JAIN)
JUDGE

04.09.2023
Sailesh

Whether speaking/reasoned :	Yes	
Whether Reportable :		No