

CWP-3385-2024

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2024:PHHC:021325

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-3385-2024

Date of decision : 15.02.2024

Jaswinder Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr. Deepak Aggarwal, Advocate
for the petitioner.

Mr.Ferry Sofat, Addl.A.G.Punjab.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of certiorari for setting aside the order dated 03.04.2023 (Annexure P-1) passed by respondent no.2 vide which the allotment of government quarter no.67, NGO, Ajit Singh Police Colony, PAP Phillaur, which was allotted to the petitioner in the year 2004, has been cancelled.

2. Learned counsel for the petitioner has submitted that the petitioner has given reply dated 24.04.2023 (Annexure P-4) to the notices dated 19.04.2023 (Annexure P-2) and dated 24.04.2023 (Annexure P-3) which have been issued subsequent to the impugned order dated 03.04.2023 (Annexure P-1) and has submitted that at this stage, would be satisfied in case the said reply dated 24.04.2024 (Annexure P-4) is considered by the competent authority of respondent no.2 in a time bound manner and if after

considering the same, in case, the plea raised by the petitioner is found to be meritorious, then necessary relief be granted to the petitioner.

3. Learned State counsel has submitted that the competent authority of respondent no.2 would consider the said reply and decide the same within a period of four weeks from the date of the receipt of certified copy of the present order.

4. Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to the competent authority of respondent no.2 to consider the reply dated 24.04.2023 (Annexure P-4) of the petitioner and decide the same, in accordance with law, as expeditiously as possible, preferably within a period of four weeks from the date of the receipt of certified copy of the present order and in case, after considering the same, the plea of the petitioner is found to be meritorious, then necessary relief be granted to the petitioner and in case, the plea of the petitioner is not found to be meritorious, then a speaking order rejecting the same be passed within a period of four weeks from the date of the receipt of certified copy of the present order.

5. It is made clear that this Court has not opined on the merits of the case and the competent authority of respondent no.2 would consider and decide the reply independently, in accordance with law.

(VIKAS BAHL)

JUDGE

February 15, 2024

Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No