

**CWP-14398-2024**

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CWP-14398-2024****Date of decision: 01.07.2024**

Lalita Rani

....Petitioner

Versus

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr. Rajeev Anand, Advocate, and
Mr. Vandit Jain, Advocate,
for the petitioner.

ARUN PALLI, J. (Oral)

A Mandamus is prayed for, commanding the respondent authorities to consider the claim of the petitioner for allotment of a vacant land abutting an industrial plot/site No.932-C at Housing Board Colony (Himshikha), Pinjore, District Panchkula, owned by her.

Learned counsel for the petitioner submits that the policy dated 01.06.2020 (P-10), postulates utilization of incidental open spaces in Housing Board Colonies either through allotment to the existing allottees of adjoining residential plots or through carving out new residential plots. And, per the said policy, the authorities are obliged to consider the claim of the petitioner. Further, he submits that though, pursuant to the representation dated 18.12.2023 (P-4), moved by the petitioner, the authorities had carried out the spot inspection in December, 2023, itself, but thereafter, the matter has not made any tangible progress. It is urged that even earlier, the incidental spaces had been allotted to the owners of plots No.641 (P-7), 642 (P-8) and 633



(P-9), and thus, inaction at the end of the respondent authorities is apparent. So much so, he submits that even the representations dated 20.03.2024 (P-5 and P-6), the respondent authorities have been served with, have failed to evoke any response. Therefore, interest/rights of the petitioner are severely impacted.

Served with the advance copy of the petition, Mr. Deepak Sabherwal, Advocate, for the respondent-Housing Board and Mr. Bawa Karanveer, Advocate, appearing for Mr. Aman Bahri, Advocate, for respondent No.4, are present in Court.

At the outset, learned counsel for the respondent-Board, on instructions, submits, for the competent authority is already in seisin of the concerns/grievances of the petitioner, it would be expedient if the petition is disposed of, at this stage, to enable the respondent authorities to consider and pass necessary orders on her representations (*ibid*), in accordance with law. Further, he submits that before any such orders are passed, the petitioner shall be heard, for which, a formal communication shall be issued, well in advance.

Learned counsel for the petitioner is in agreement with the course suggested by learned counsel for the respondent-Board and submits that let this petition be disposed of, in terms of the statement made by him. However, it is urged that the authorities be directed to do the needful, within a specified time.

In response, learned counsel for the Board submits that appropriate orders shall be passed within a period of six weeks from today.



The petition is accordingly disposed of, in terms of the statements made by learned counsel for the parties.

This Court is sanguine that the authorities shall look into the matter in the right earnest. And the appropriate orders shall be passed within the time indicated by learned counsel for the respondent-Board.

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated above, the competent authority shall examine the concerns/grievances of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

01.07.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No