



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

214

CWP No.4687 of 2018
Date of decision: 03.12.2024

Gurmeet Singh

....Petitioner

V/s

State of Punjab and others

....Respondents

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

Present: Mr. Naresh Kaushal, Advocate, for the petitioner.
Mr. Vipin Pal Yadav, Addl. Advocate General, Punjab.
Mr. R.S. Khosla, Sr. Advocate with
Mr. Yogender Verma, Advocate, for respondents No.2 and 3.

VIKRAM AGGARWAL, J.

1. The petitioner has prayed for the following substantive relief:-

“Civil Writ Petition under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari quashing the impugned letter/ order dated 12.02.2018 (Annexure P-22) and subsequent order dated 30.10.2019 (Annexure P-25) passed by the Chief Administrator, whereby during the pendency of CWP No. 4687 of 2018 titled Gurmeet Singh versus State of Punjab and others, before this Hon'ble Court, the allotment of plot under oustee category has been cancelled;

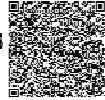
AND

To issue writ of mandamus commanding the respondents;-

(i) To allot plot No. 1077 Sector 69 SAS Nagar Mohali measuring 500 sq. yds, already earmarked for the petitioner in the draw held on 10.05.2016 (Annexure P-8) and deliver the possession to the petitioner forthwith;

OR

(ii) In alternate allot plot No. 1599 measuring 306.66 sq. yds in Sector 69 SAS Nagar, and deliver the possession to the petitioner forthwith.



(iii) To charge the rate against plot no. 1077 Sector 69 SAS Nagar Mohali measuring 500 sq. yds, or in alternate against plot No. 1599 measuring 306.66 sq. yd in Sector 69, SAS Nagar, as prevalent, at the time of acquisition from the petitioner, in view of the law laid down by this Hon'ble Court vide judgment dated 20.05.2015 (Annexure P-28) passed in CWP No. 19647 of 2013 titled Harmail Singh and others versus State of Punjab and others, as well as per decision dated 08.04.2005 of the Finance and Accounts Committee vide Agenda Item No. 47.6 (Annexure P-29) and decision dated 15.12.2010 vide Agenda Item No. 12.07 (Annexure P-30) and adjust the payment already made by the petitioner accordingly;"

2. The petitioner (Gurmeet Singh) was the owner of land measuring 49 *kanals* 7 *marlas* situated in Village Sohana, Tehsil and District Mohali, which was acquired for a public purpose namely setting up of Urban Estate, SAS Nagar, Mohali by way of different notifications and Award No.422, dated 12.07.1984, Award dated 16.06.1994, 07.06.1996 and Award No.481 dated 17.05.2001.

3. As in the case of many other oustees/erstwhile land owners, the petitioner, ever since, is running from pillar to post seeking allotment of a plot on account of compulsory acquisition of his land holding. After having been tossed from one office to the other, the petitioner was eventually declared successful in a draw held on 16.05.2016 and a plot measuring 500 sq. yd. was earmarked for him. However, on 22.12.2017, an allotment letter was issued for a plot measuring 306.66 sq. yd. @ Rs.38500/- per sq. yd.

4. The petitioner again submitted representations and also preferred the instant writ petition.

5. During the pendency of the writ petition, order dated 30.10.2019(Annexure P-25) was passed vide which even the plot measuring



306 sq. yd. which had been allotted to the petitioner vide allotment letter dated 22.12.2017 was cancelled. Accordingly, the writ petition was amended by the petitioner.

6. Today, during the course of arguments, the parties have arrived at a consensus. Learned counsel for the parties are *ad idem* that the authority concerned i.e. the Estate Officer, Greater Mohali Area Development Authority (respondent No.3) shall reconsider the matter in its entirety and shall pass a fresh speaking order as regards the concerns/grievances of the petitioner set out in the present writ petition, as also various representations filed with the authorities from time to time and that before passing the said speaking order, the petitioner shall be given a due opportunity of hearing.

7. Learned Senior Counsel representing respondents No.2 and 3 submits that for the said purpose, the petitioner may appear before respondent No.3 on 16.12.2024 at 11.00 a.m. He further submits that after affording a due opportunity of hearing to the petitioner and considering the record, the speaking order shall be passed within a period of four weeks from 16.12.2024.

8. Learned counsel for the petitioner is agreeable to the course suggested by learned Senior Counsel representing respondents No.2 and 3.

9. Learned counsel for the parties submit that the writ petition be disposed of in terms of the statements given by them in Court today.

10. Accordingly, the writ petition is disposed of in terms of the statements given by learned counsel for the parties binding them to the same.

11. This Court is sanguine that the authority concerned shall pass appropriate orders, in accordance with law, after complying with the

principles of natural justice, within the time indicated by learned counsel for the respondents, assigning reasons in support thereof.

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

(ARUN PALLI) (VIKRAM AGGARWAL)

JUDGE JUDGE

December 03, 2024
vcgarg

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