



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 26355 of 2024

Date of decision: 14.10.2024

Vinod Kumar and others

.... Petitioners

Vs.

State of Haryana and others

.... Respondents

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

Present: Mr. Ram Kumar Saini, Advocate
for the petitioners.

ARUN PALLI, J (Oral)

The petitioners have prayed for the following substantive relief:

“Civil Writ Petition under Article 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction especially in the nature of mandamus directing the respondents to immediately issue allotmentn letter of plot No.2614 SP, Sector 4, Part-II, Hisar, District Hisar under oustees quota.”

Learned counsel for the petitioners submits that father/grand-father of the petitioners, namely late Amar Singh, happened to be the co-owner in possession of land situated in the revenue estate of Hisar, District Hisar, that was acquired by the State Government for development of Sector 3 and 5, Hisar. He submits that being an oustee, the predecessor in interest of the petitioners was entitled for a suitable site/plot, per the prevalent policy. Accordingly, late Amar Singh moved the necessary application for allotment of 500 sq. yards plot, appended therewith a pay order dated February 28, 2007 of Rs.2,78,190/-. Further, he submits that respondents, vide communication dated August 31, 2009 (P-2), conveyed to late Amar Singh that since he was successful in the draw of lots, a plot No.2614 SP was earmarked to be allotted to him, however, he was required to furnish affidavits of the other co-sharers, to process his claim further. It is urged that vide another communication dated September 28, 2010 (P-3), late Amar



Singh was required to furnish an affidavit of Smt. Chander Kala (co-sharer) to enable the authorities to issue a formal letter of allotment. Further, it is submitted that even though the necessary documents, as asked for by the respondent authorities, were submitted by the petitioners, yet the authorities have failed to issue a regular letter of allotment. So much so, the representation dated March 05, 2020 (P-4), the authorities were served with, remained unanswered, though it was specifically clarified that the required documents have since been submitted. Similarly, even the legal notice dated April 17, 2024 (P-6), the authorities have been served with, has failed to evoke any response. Thus, this petition.

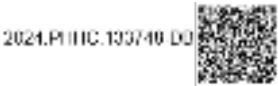
Served with the advance copy of the petition, Mr. Vaneet Soni, Advocate for Mr. Deepak Sabharwal, Advocate, is present in Court, on behalf of the respondents-HSVP. At the outset, on instructions, he submits, for the competent authority is already in seisin of the representation as also the legal notice submitted by the petitioners, it would be expedient, if the petition is disposed of, at this stage, to enable the respondent authorities to consider the claim of the petitioners and pass necessary orders, in accordance with law. Further, he submits that before any such orders are passed, the petitioners shall also be heard. And a formal communication in this regard will be issued, well in advance.

Learned counsel for the petitioners is agreeable to the course suggested by the learned counsel for the respondents-HSVP and submits that let the petition be disposed of in terms of the statement made by him. However, he submits that the matter being time sensitive, the competent authority be directed to consider and finally decide the matter within a specified time.

To this, learned counsel for the respondents-HSVP submits that the necessary orders in this regard shall be passed within eight weeks from today.

In the wake of the position sketched out above, and in terms of the statement made by learned counsel for the parties, this petition is accordingly disposed of.

This Court is sanguine that the authority shall consider/examine the matter in the right earnest, and pass appropriate orders, within the time



indicated by learned counsel for the resonvents-HSVP, assigning reasons in support thereof.

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 earlier, the competent authority shall examine the grievances of the petitioners, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

14.10.2024
deepak

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