

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.10206 of 2014

Date of decision:20.1.2015

Bhagwan

....Petitioner

VERSUS

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HEMANT GUPTA

HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Manoj Sood, Advocate for the petitioner.

Mr. P.K. Jangra, Additional Advocate General, Haryana
for respondent No.1.

Mr. Ajay Nara, Advocate
for respondent No.2 and 3.

HEMANT GUPTA, J.(Oral)

The challenge in the present writ petition is to an order passed by the Administrator, Haryana Urban Development Authority, Faridabad dated 04.09.2013 whereby the claim of the petitioner for allotment of a plot as an oustee was rejected for the reason that the petitioner has not applied for allotment of plot when the advertisement was issued in the year 2006.

In terms of the judgment of Division Bench of this Court in LPA No.2096 of 2011 titled as '*Haryana Urban Development Authority and others Vs. Sandeep and others*', decided on 25.4.2012, an oustee can be considered for allotment only if he responds to an advertisement.

Since the petitioner has not applied for allotment of a plot, his claim as an oustee cannot be considered against the

advertisements already issued. However, as and when any fresh advertisement is issued, the petitioner shall be entitled to apply and be considered for allotment of a plot.

In view of the above, the present writ petition is disposed of accordingly.

(HEMANT GUPTA)
JUDGE

JANUARY 20, 2015
‘D. Gulati’

(HARI PAL VERMA)
JUDGE