

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No.11768 of 2014 (O&M)

Date of Decision:24.09.2015

Suman Lata

... Petitioner

v.

HUDA & another

... Respondents

CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Pavan Malik, Advocate for the petitioner.

Mr. Arjun Kumar Yadav, AAG, Haryana.

Mr. Ajay Nara, Advocate for HUDA.

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S.J. VAZIFDAR, ACTING CHIEF JUSTICE.

The petitioner's father was allotted a plot in the year 1990. The allotment stands transferred to the petitioner's name. The plot that was allotted was from the land that had been acquired by HUDA. The original owner, however, has adopted proceedings under the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013. We are informed that the original owners had contended that acquisition proceedings have elapsed and that the land ought to be returned to them. It is only in view of this that the respondents have been unable to hand over the plot to the petitioner.

2. The respondents fairly state that the petitioner's case along with the case of about 10 others is under consideration. The others had also been allotted plots in the same very area. A decision would have to be taken not regarding the petitioner alone but regarding the others similarly situated as well. The proceedings adopted by the original owners are pending. The respondents, therefore, intend taking a decision as to when the petitioner's case and the case of other similarly situated for alternate plots is

to be considered. In other words, the respondents intend taking a decision as to the period for which they intend waiting for the resolution of the proceedings adopted by the original owner before considering the petitioner's case for an alternate plot. If the proceedings are likely to take very long, the respondents may decide to hand over the alternate plots even before the proceedings are concluded.

3. The respondents shall take the above decision by 31.12.2015.

The Writ Petition is, accordingly, disposed of.

(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE

(TEJINDER SINGH DHINDSA)
JUDGE

24.09.2015
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