

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.20183 of 2012
Date of Decision: September 23, 2015

Ajit Pal Singh ManderPetitioner
versus
Punjab Urban Development Authority and others
.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE P.B.BAJANTHRI.

Present: Mr.P.S.Jammu, Advocate, for the petitioner.
Mr.HPS Ghuman, Advocate, for respondent No.1.
Mr.Y.P.Singla, Advocate, for respondent No.3.
Mr.Onkar Singh, Advocate, and
Mr.Gurbir Singh Sidhu, Advocate for respondent No.4.
Mr.K.K.Gupta, Additional AG, Punjab.

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1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Surya Kant, J. (Oral)

The petitioner is admittedly son of a freedom-fighter. He applied for allotment of residential plot in response to the advertisement issued by the Bathinda Development Authority.

[2] As per the Information Brochure, 2% plots were reserved for freedom-fighters which included (i) freedom-fighter himself; (ii) widow of the freedom-fighter who is drawing pension, and (iii) freedom-fighter's son/daughter and grand-son/grand-daughter.

[3] It so happened in the draw of lots that respondent Nos.3 & 4, who are grand-children of freedom-fighters were successful and have been allotted the plots. The petitioner did not succeed. He has now approached this Court, inter-alia, claiming that a freedom-fighter's son ought to have been given preference over the grand-son/grand-daughter of a freedom-fighter.

[4] The above-stated issue raised by the petitioner need not be gone into for the reason that both respondent Nos.3 & 4 through their learned counsel state at the bar that they are not willing to retain the allotted plots and are ready to surrender the same.

[5] No other eligible candidate in the freedom-fighter's category has come forward to seek allotment. In these circumstances, we dispose of this writ petition with a direction that in case respondent Nos.3 & 4 surrender their plots, the Bathinda Development Authority shall not forfeit any amount and allot one of the plot to the petitioner at the same rate and on the same terms and conditions. It will ensure that the Bathinda Development Authority does not suffer any loss and at the same time, the petitioner gets the plot reserved for freedom-fighter category. It will further ensure that respondent Nos.3 & 4 also do not suffer any loss. We further

direct that if anyone in the waiting list in the General Category or otherwise is willing for allotment of the plot, let the left-out plot be allotted to such person(s) in waiting list so that there is no forfeiture against the second plot as well.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

September 23, 2015
mohinder

[P.B.BAJANTHRI]
JUDGE