

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

CWP-16867-2015

Date of decision:- 17.08.2015

Rakesh Kapoor

...Petitioner

Versus

The State of Haryana and others

...Respondents

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

Present: Mr. Parminder Singh, Advocate,
for the petitioner.

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S.J. VAZIFDAR, A.C.J. (ORAL)

The petitioner has challenged a speaking order dated 06.08.2014 in respect of his application for allotment of a plot as an oustee.

2. The petitioner's property was acquired in or around the year 1981. The impugned order states that as and when the balance plots in Sector 6, Urban Estate, Karnal are floated, the petitioner can apply for the same in accordance with the relevant rules, regulations and policies. The petitioner, however, states that to his knowledge there are no balance plots in Sector 6.

3. The respondents shall inform the petitioner whether there are in fact balance plots in Sector 6. If there are, the impugned order must take effect as per its own terms, namely, that as and when the balance plots in Sector 6 are floated, the petitioner can apply for the same. If the authorities, inform the petitioner that no balance plots are available in Sector 6, the petitioner's application for allotment of a plot shall be considered in accordance with law including the judgement of a Division Bench of this Court rendered on 25.04.2012 in LPA-2096-2011 titled as *Haryana Urban*

Development Authority and others Vs Sandeep and others.

4. The respondents shall inform the petitioner whether any balance plots are available in Sector 6 within four weeks of the receipt of a certified copy of this order.

5. The petition is accordingly disposed of.

(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE

(TEJINDER SINGH DHINDSA)
JUDGE

17.08.2015
Amodh