

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

CWP-18093-2015

Date of decision:- 31.08.2015

Kanwar Devinder Singh and others

...Petitioners

Versus

Estate Officer, HUDA, Panchkula and another

...Respondents

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

Present: Mr. Ranvir S. Chauhan, Advocate,
for the petitioners.

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

The petitioners seek an order directing the respondents to include their application for allotment as oustees in Sectors 2 and 6, MDC, Urban Estate, Panchkula and to allot a plot of one kanal.

2. According to the petitioners, their land was acquired and they are, therefore, entitled as oustees to be allotted a plot as per the policy. By a communication dated 07.04.2015, the respondents confirmed that the petitioners were eligible for the allotment of a plot, but in Sector 7, as the land of the petitioner was acquired from that Sector. This communication/order has not been challenged. We will, however, overlook that fact. The petitioners state that it is not possible to allot a plot in Sector 7 as there are no plots available in Sector 7. The order, however, does not indicate the same. There is nothing on record that establishes that no plots will be available for allotment under the oustees quota from Sector 7. Even assuming that no plots are available in Sector 7, it is not possible for this Court to direct the respondents to allot an alternate plot in any particular sector. That, in the first instance, is for the respondents to do.

3. In these circumstances, the petition is disposed of by the following order:-

(i) The respondents shall ascertain whether the plots for oustees are available in Sector 7 and if so to inform the petitioners in writing about the same. Further, in that event, the respondents shall also inform the petitioners as to when the allotment under the oustees quota is likely to take place.

(ii) In the event of the respondents confirming that the plots are not available for allotment under the oustees quota from Sector 7, they shall consider the petitioners' application for the allotment of a plot in any other appropriate sector in accordance with law.

(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE

(TEJINDER SINGH DHINDSA)
JUDGE

31.08.2015
Amodh