

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

CWP No.20772 of 2014

Date of decision:19.1.2015

Shashi Datta and another

....Petitioners

VERSUS

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HEMANT GUPTA

HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Sonu Giri, Advocate for
Mr. Sandeep Sharma, Advocate for the petitioners.

Mr. Lokesh Sinhal, Additional Advocate General,
Haryana for respondent No.1.

Mr. Ajay Nara, Advocate for respondents No.2 to 4.

HEMANT GUPTA, J.(Oral)

The petitioner seeks a writ of mandamus for allotment of a plot. The challenge is also to the condition in the advertisement that only those land-owners where Award has been announced in respect of acquisition of the land on or after 05.03.2005 alone are eligible.

Mr. Nara points out that such condition has been set aside by a Division Bench of this Court in CWP No.2212 of 2014 titled Hukam Singh and another v. State of Haryana and others, decided on 20.08.2014 holding that action of the respondents in putting a cut-off date in the advertisement runs counter to 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.

Mr. Nara states that respondents shall issue a fresh advertisement inviting applications from the land-owners whose land

has been acquired. In pursuance of such advertisement, the petitioners can apply for plot which shall be considered in accordance with law.

In view of the statement of Mr. Nara, the writ petition is disposed of with an observation that the petitioners can apply for allotment of a plot as and when the applications are invited from the land owners, whose lands were acquired in terms of the judgment of this Court in Sandeep's case (supra).

(HEMANT GUPTA)
JUDGE

JANUARY 19, 2014
‘D. Gulati’

(HARI PAL VERMA)
JUDGE