

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

CWP No.275 of 2015

Date of Decision: 08.01.2015

Roshni Devi

....Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr. D.S. Bali, Senior Advocate with
Mr. Aman Vashisht, Advocate
for the petitioner.

Amol Rattan Singh, J (Oral)

This petition seeks quashing of the order dated 20.10.2014 (Annexure P-3), passed by the Tehsildar (Sales), Sonapat, whereby the application of the petitioners' late husband for allotment of a plot, the details of which are given in the said application, has been rejected. It further seeks that the petitioner be not dispossessed from the property in question.

Earlier also, the petitioners' late husband had approached this Court by filing Civil Writ Petition No.4400 of 1991, which was dismissed on 24.07.2013 by a coordinate Bench, with an observation that the petitioner shall have a remedy for consideration of a transfer in her favour under the Haryana Evacuee Properties (Management and Disposal) Act, 2008. However, the petitioners' claim to the plot in question was declined by this Court.

Obviously, this petition, effectively seeking the same relief, is not maintainable.

Other than that, however, learned Senior counsel submits that the petitioner may be given liberty to move another application for allotment of any other plot, as per availability, other than the plot which was applied for by her/her husband, vide the application which has been rejected by the impugned order.

No further direction in that regard is required, as, firstly, such a direction is already inherently contained in the order dismissing CWP No.4400/1991 and further, is also contained even in the impugned order passed by the Tehsildar (Sales), Sonapat.

Obviously, the petitioner would be at liberty to move an application for allotment of any other plot, which would be considered wholly on merits, if such an application is moved.

It is made clear that this Court has made no observation whatsoever, on the merits of the claim sought to be made by the petitioner, for allotment of any other plot.

January 08, 2015
vcgarg

(Amol Rattan Singh)
Judge