

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

CWP No.5897 of 2014

Date of decision:9.2.2015

Santosh Rani 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. Sandeep Sharma, Advocate for the petitioners.

Mr. P.K. Jangra, Additional Advocate General, Haryana
for respondent No.1.

Mr. Ajay Nara, Advocate
for respondent No.2 and 3.

HEMANT GUPTA, J.(Oral)

The challenge in the present writ petition is to an order passed by the Estate Officer, Haryana Urban Development Authority, Kaithal dated 23.12.2013 whereby the claim of the petitioners for allotment of a plot as oustee was rejected for the reason that the petitioners have not applied for allotment of plot within the prescribed period i.e. from 22.09.2013 to 21.10.2013.

In terms of the 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, an oustee can be considered for allotment only if he responds to an advertisement.

Since the petitioners have not applied for allotment of a plot, their claim as oustees cannot be considered against the

advertisements already issued. However, as and when any fresh advertisement is issued, the petitioners shall be entitled to apply and be considered for allotment of a plot.

In view of the above, the present writ petition is disposed of accordingly.

(HEMANT GUPTA)
JUDGE

FEBRUARY 9, 2015
‘D. Gulati’

(HARI PAL VERMA)
JUDGE