

Sr. No.214

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

COCN No. 2669 of 2015

Date of decision:11.08.2016

**The Acharya Narender Dev. Co-operative House Building Society
.....Petitioner**

versus

Tarun Kumar Pawaria

.....Respondent

Coram: Hon'ble Mr.Justice Rakesh Kumar Jain

Present: Mr. Lokesh Vohra, Advocate
for the petitioner.

Mr. S.K.Mahajan, Advocate
for the respondent.

Rakesh Kumar Jain, J.(Oral)

Counsel for the respondent has filed a short reply along with proceedings of the meeting of the Screening Committee held on 9.08.2016 (Annexure R-1/A). In the said meeting, the following decision was taken:-

“In view of the above facts and order passed by the Hon'ble High Court in CWP No. 4784 of 2015 the committee adjudges the petitioner/applicant as eligible for allotment of 500 Sq Yard plot through draw of lots under oustees category in Joint name in as applicant is co-sharer in the land acquired. However, applications have not been invited for Sector 52A, 53 and 54 Gurgaon against oustee plots. As and when applications for sector 52A, 53 and 54 will be invited for new flotation, the applicant/oustees may apply for plot of 500 Sq Yard against oustees quota as per HUDA Policy, subject to the completion of following formalities such as:-

i) That oustees applicant has not been given any benefit earlier under the oustees policy.

- ii) That no land has been released by the Govt.*
- iii) That no litigation is pending in the court in respect of acquisition of land, except a reference under section 18 of the Land Acquisition Act, 1894.*
- iv) That oustees applicant will abide by the terms and conditions of allotment letter and HUDA Rules & Regulations.*
- v) NOC from co-shares.”*

In view of the aforesaid, the present petition has become infructuous.

Dismissed as infructuous.

11th August, 2016

Shivani Kaushik

**[Rakesh Kumar Jain]
Judge**

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No