

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

Date of decision:03.03.2017

Jassu and another

.....Petitioners

v.

Vikas Gupta and another

.....Respondents

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Mr.MS Rana,Advocate for the petitioners

Jaswant Singh,J.

Land of petitioners, situated in revenue estate of Badkhal Tehsil District Faridabad, was acquired for a public purpose namely for the development and utilization of land as Institutional Sector 48,Faridabad. Petitioners moved representations dated 28.7.2004 and 2.8.2009 to respondent-HUDA for allotment of plot under the oustee policy. Since no action was taken on their representations, they filed CWP 23907/2012 which was disposed of by this Court vide order dated 4.12.2012(P-1) with a direction to respondents to look into the representations dated 28.7.2004 and 2.8.2009 of the petitioners and to take a decision thereon as per ratio of law laid down by a DB of this Court in LPA No.2096/2011 decided on 25.4.2012(P-2).

Now the instant contempt has been filed alleging disobedience of orders dated 4.12.2012(P-1) and 25.4.2012(P-2) passed by this Court.

Having heard counsel for the petitioners, no case for proceedings under the Contempt of Courts Act is made out as the issue involved herein has already been considered in COCP 623/2015 (**Ashish Kumar and others v Brijendra Singh and another**) decided on 12.1.2017.

It was noticed therein that in the aforesaid orders 4.12.2012 (P-1) and 25.4.2012 (P-2) there is no positive direction mandating issuance of advertisement, either periodically or annually or at any given point of time. However, as and when any allotment is made for general public on acquisition of land, the oustees like the petitioners of District Faridabad would be given proper opportunity in terms of the directions of the aforesaid order dated 25.4.2012(P-2).

Even today, at the time of hearing, learned counsel for the petitioners is unable to show any directions contained in the order dated 25.4.2012(P-2) which requires the respondent-HUDA to issue advertisement to allot plots to allottees without there being any acquisition. Further, it is not the case of the petitioners that any advertisement for general allotment of plots has been issued wherein plots for the oustees like the petitioners have not been reserved.

Dismissed.

03.03.2017
joshi

(Jaswant Singh)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No