

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.11089 of 2017

Date of Decision: May 22, 2017

Shakuntla and others

.....Petitioners

versus

Haryana Urban Development Authority and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr.Sarvjit Singh Khurana, Advocate, for the petitioners.
Mr. Deepak Balyan, Advocate, for respondent Nos.1 & 2.

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Surya Kant, J. (Oral)

Notice of motion to respondent Nos.1 & 2 only at this stage.

On our asking, Mr.Deepak Balyan, Advocate, accepts notice on their behalf.

Let two copies of the writ petition be supplied to him during the course of day failing which this order shall be automatically recalled and the writ petition shall be deemed to have been dismissed for non-prosecution.

In view of the nature of order which we propose to pass, it is not necessary to serve respondent No.3 or seek any counter-reply from respondent Nos.1 & 2 at this stage.

The husband of petitioner No.1 and father of petitioner Nos.2 & 3, namely, Shri Daya Ram was an ex-serviceman who retired from the rank of Honorary Lieutenant from Indian Army. He applied for allotment of a 10 marla plot in Sector-18 (Defence), Rewari and was successful in draw of lots. Plot No.213 was allotted to him but allotment letter was not issued on the plea that the deceased was not an Ex-Commissioned Officer and he was

entitled to a plot smaller in size. Such controversy has been settled by this Court vide order dated 10.10.2012 passed in CWP No.13630 of 2012 (Chander Bhan Sharma versus Haryana Urban Development Authority and others). Special Leave Petition against the said decision has also been dismissed by the Hon'ble Supreme Court.

Having heard learned counsel for the parties, we dispose of this writ petition with a direction to the respondent-authorities to verify the above-stated claim of the petitioners and determine their eligibility in the light of the cited decision in Chander Bhan Sharma's case (supra). Let the needful be done within a period of two months from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

May 22, 2017
mohinder

[HARI PAL VERMA]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No