

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.11778 of 2017.

Date of Decision: May 26, 2017

Subhash Chand

.....Petitioner

versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT.  
HON'BLE MR.JUSTICE HARI PAL VERMA.**

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Present: Mr.Raman Gaur, Advocate, for the petitioner.  
Mr. Deepak Balyan, Advocate, for the respondents.

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**Surya Kant, J.** (Oral)

Notice of motion.

On our asking, Mr.Deepak Balyan, Advocate, accepts notice on behalf of respondent Nos.2 to 4.

Let three 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.1 or to seek counter-reply from respondents Nos.2 to 4 at this stage.

The petitioner is an ex-serviceman who retired from the rank of Naib Subedar from Indian Army. He applied for allotment of a 1 kanal plot in Sector-62, Urban Estate, Faridabad and was successful in draw of lots. Plot No.264 was allotted to him but no allotment letter was issued on the plea that the petitioner was not an Ex-Commissioned Officer and he was

entitled to a plot smaller in size. Such a 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.

The petitioner is said to have served the respondents with a legal notice dated 10.04.2012 but finding no response thereto, the instant writ petition has been filed.

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 petitioner and determine his eligibility in the light of the 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 26, 2017  
*mohinder*

**[HARI PAL VERMA]**  
**JUDGE**

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|----------------------------------|----------|---------------|
| <b>Whether speaking/reasoned</b> | <b>:</b> | <b>Yes/No</b> |
| <b>Whether Reportable</b>        | <b>:</b> | <b>Yes/No</b> |