

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

CWP-18097-2016 (O&M)

Date of decision:- 25.07.2017

Shivraj Malik, Advocate s/o Sh. Balbir Singh Malik, r/o
H. No. 1214, Sector-6, Bahadurgarh, District Jhajjar.

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, CHIEF JUSTICE
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present:- Ms. Munisha Gandhi, Senior Advocate,
with Ms. Salina Chalana, Advocate,
for the petitioner.

Mr. Deepak Balyan, Additional Advocate General, Haryana.

Ms. Shubhra Singh, Advocate,
for respondents No. 2 and 3 - HUDA.

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S.J. VAZIFDAR, C.J. (ORAL)

The petitioner in this petition seeks the allotment of a plot pursuant to an allotment letter issued in his favour.

2. The learned counsel appearing on behalf of the respondents state that the petitioner's entitlement is accepted. They, however, propose handing over an alternate plot stating that it is not possible to hand over possession of the plot which has been allotted to the petitioner on account of difficulties such as pending litigation.

The petitioner states that he would also prefer to have an alternate site as he does not wish to wait for the outcome of the litigation in respect of the plot and/or the difficulties to be removed in respect of the plot already

allotted.

3. It is clear, therefore, that on the one hand the respondents recognize the petitioner's right to a plot and the petitioner himself has expressly given up his right to the plot that was allotted and has agreed to accept any appropriate alternate plot.

4. The respondents state that there are several such cases and that all the cases will be considered in due course for the allotment of alternate plots.

5. The petition is, therefore, disposed of by recording the statements on behalf of the petitioner and the respondents as aforesaid and accepting the same. The respondents shall allot the alternate plot by 15.11.2017. Once the alternate plot is identified, the respondents must hand over possession thereof as soon as possible and preferably within four weeks subject of course to the petitioner complying with all the terms and conditions. Needless to add that upon the alternate plot being identified, the petitioner's rights regarding the grievance in all respects, if any, are kept open.

(S.J. VAZIFDAR)
CHIEF JUSTICE

(HARINDER SINGH SIDHU)
JUDGE

25.07.2017

Amodh

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No