

HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-21395-2015

Date of Decision: May 18, 2017

Rattan Singh Chahal

.....Petitioner

Versus

The State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA

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| 1. | To be referred to the Reporters or not? | Yes/No |
| 2. | Whether the judgment should be reported in the Digest? | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |

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Present: Mr.Gopal Sharma, Advocate
for the petitioner.

Mr.Rishab Gupta, Advocate
for respondent Nos.2 and 3.

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SURYA KANT, J.

The petitioner seeks quashing of orders dated 19.05.2006 and 17.01.2014 whereby his claim for allotment of Plot No.634, Sector 24, Panipat, has been rejected.

[2] The petitioner is a retired member of Haryana Civil Service (Executive Branch). While in service he applied for a ten marla plot in the reserved category of "Government Servant Reserve Quota". He was successful in draw of lots held on 29.12.2000 and the above mentioned plot was decided to be allotted to him.

[3] It is an admitted fact that as per 'Information Brochure'

employee seeking benefit of reservation in plots was required to submit 'Integrity Certificate'. The HUDA authorities therefore asked the petitioner to produce the Integrity Certificate so that allotment letter could be issued. The petitioner could not produce the Integrity Certificate despite reminders dated 24.01.2001, 11.11.2001 and 23.12.2004. The offer of allotment was consequently cancelled by the Estate Officer, HUDA, Panipat vide Memo dated 19.05.2006.

[4] The reason as to why the petitioner could not produce the Integrity Certificate was that some departmental enquiry was pending against him which was finally dropped by the State Government by taking a lenient view in the year 2015 as the petitioner by that time had retired from service. It is pertinent to mention here that the Enquiry Officer found the petitioner guilty of lack of supervision and monitoring in respect of his official responsibilities and thus, the charges were proved. Nevertheless, the proceedings were dropped keeping in view his retirement.

[5] It further appears that the petitioner filed a revision petition to the State Government against non-issuance of allotment letter which was turned down by the Principal Secretary to Government of Haryana, Town and Country Planning and Urban Estates Department, vide order dated 17.01.2014 being not maintainable.

[6] The petitioner relies upon the revised Government Policy, dated 24.04.2001, whereby the condition of production of Integrity Certificate for allotment of residential plot under "Government Servant Reserve Quota" was dispensed with. This policy decision, in our considered view, does not

namely, it was issued after the decision to allot the plot was taken in favour of the petitioner. Such Policy Circular being prospective in nature, is not attracted to the facts of the case in hand.

[7] Consequently, we do not find any merit in this writ petition, which is accordingly dismissed. However, the earnest money deposited by the petitioner be refunded to him alongwith interest @ 7% per annum.

**(SURYA KANT)
JUDGE**

May 18, 2017
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**(SUDIP AHLUWALIA)
JUDGE**

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| 1. Whether speaking/reasoned ? | Yes/No |
| 2. Whether reportable ? | Yes/No |