

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

Civil Writ Petition No.26344 of 2014

Date of decision: **November 21, 2017**

Mukhtiar Kaur and others

...Petitioners

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: Mr.Amit Singla, Advocate
for the petitioners.

Mr.Deepak Balyan, Addl. AG, Haryana with
Mr.Ayuwan Singh, AAG, Haryana.

Mr.Sandeep Moudgil, Advocate for
respondent – HUDA.

S.J.VAZIFDAR, Chief Justice :

The petitioners have challenged the order passed by the Administrator of HUDA dismissing their appeal against an order of resumption of a plot. The plot was allotted to one Buta Singh pursuant to an auction held in 1975. The letter of allotment was issued on 25.06.1975. The petitioners are heirs of the said Buta Singh, who, it is stated, died on 28.03.1992.

Mr.Moudgil, learned counsel appearing on behalf of the respondents – HUDA states that no details have been furnished as regards the original allottee including as to when he allegedly left Sirsa, where he went after leaving Sirsa. Mr. Moudgil further states that no details even as regards the death of the original allottee have been furnished. There is not

even a death certificate and only an FIR has been mentioned without the same being annexed. It is clear, therefore, that there are insufficient details regarding what transpired between 25.06.1975 and December, 1988 when the original allottee, allegedly, returned to Sirsa. This is a considerable period of 13 years. There were no attempts to explain what transpired during these 13 years. The material sought to be relied upon has not been produced in this writ petition.

In our view, this is a fit case where the petitioner may avail opportunity to file a revision under Section 17(8) of the Haryana Urban Development Authority Act, 1977 (for short 'the Act').

This petition is, therefore, disposed of with liberty to the petitioner to file a revision under Section 17(8) of the Act. All the contentions, in this regard are kept open. Any application for condonation of delay in filing the revision may be made before the Revisional Authority.

(S.J. VAZIFDAR)
CHIEF JUSTICE

November 21, 2017

(HARINDER SINGH SIDHU)

JUDGE Whether Speaking / Reasoned Yes / No Whether

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