

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.5736 of 2013

Date of Decision: March 08, 2017

Krishan Kumar and another

.....Petitioners

versus

Haryana Urban Development Authority and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT.**

**HON'BLE MR.JUSTICE SUDIP AHLUWALIA.**

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Present: Mr.Mahesh Sangwan, Advocate, for the petitioners.

Mr.Amit Jaiswal, Advocate, for HUDA.

Mr.Deepak Balyan, Additional AG, Haryana.

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1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

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

The petitioners are ex-servicemen. They retired from the rank of Honorary Captain from Indian Army. They applied for allotment of 10 marla plots in Sector-18 (Defence), HUDA, Rewari in the reserved category of defence personnel. The petitioners were successful in draw of lots but were denied allotment on the ground that they were eligible to apply only for plots measuring 8 marla or below. In other words, HUDA authorities took the plea that only retired Commissioned Officers are eligible for allotment of plot measuring 10 marla or above.

An identical controversy came up for consideration before this Court in CWP No.13630 of 2012 (Chander Bhan Sharma versus Haryana Urban Development Authority and others) which was decided on 10.10.2012 and the question was answered in favour of the ex-army

Hon'ble Supreme Court with the dismissal of Special Leave Petition vide order dated 12.07.2016.

The instant writ petition is accordingly allowed in terms of the above-cited decision. Consequently, HUDA-authorities are directed to allot plots to the petitioners as they were successful in draw of lots.

Let the needful be done within a period of two months from the date of receiving a certified copy of this order.

*Dasti.*

**[SURYA KANT]**  
**JUDGE**

March 08, 2017  
*mohinder*

**[SUDIP AHLUWALIA]**  
**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> |