

215

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP No.4174 of 2015
Date of Decision: 31.01.2017

Ganga Charan and others

..... Petitioners

Versus

Haryana Urban Development Authority and others

..... Respondents

**CORAM: HONBLE MR. JUSTICE SURYA KANT
HONBLE MR. JUSTICE SUDIP AHLUWALIA**

Present: Mr. Sapan Dhir, Advocate,
for the petitioners.

Mr. Amar Vivek, Advocate,
for respondent Nos.1 & 2-HUDA.

Ms. Shubhra Singh, Addl. A.G., Haryana.

SURYA KANT J. (ORAL)

1. The petitioners claim themselves to be residents of Kisan Majdoor Colony, Sector 29, Faridabad. They seek a direction to Haryana Urban Development Authority as well as the District Administration, Faridabad, either to regularize their 'jhuggi colony' or to allot them alternative site/plots in compliance of the judgment of the Hon'ble Supreme Court in the case of "Chief Administrator, HUDA and others Vs. Azad Bharat Colony and others" (Civil Appeal No(s).1153-1167 of 2001) as well as the subsequent decision of this Court including in Bhim Giri and others Vs. The Haryana Urban Development Authority and others, 2014 (9) RCR (Civil) 33, and other connected cases decided by this Court. The petitioners have further sought a restraint order against their possible dispossession or demolition of their jhuggies till they are rehabilitated in the manner stated above.

2. We find from the record that the decision dated 29.04.2013 in 'Bhim Giri and others case (supra)' pertains to the same locality, namely, Kisan Majdoor Colony adjoining Sector 29, Faridabad, where the petitioners are statedly residing.

3. Learned counsel for HUDA informs that from amongst the residents of that colony, 375 claimants have been allotted the alternative plots and 169 applications are under scrutiny.

4. We thus dispose of this writ petition in terms of the above-cited decision of this Court in Bhim Giri and others case (supra) with a direction to the authorities that let the claim of the petitioners be also scrutinized as per the previous decisions/precedents/policy.

5. Let an appropriate decision be taken within a period of four months. The petitioners shall fully cooperate with the authorities and shall produce the requisite document/proof for determination of their identities. Till such decision is taken, the petitioners may not be uprooted from the present jhuggies subject to further direction that no fresh jhuggies shall be constructed by anyone.

6. Disposed of.

(SURYA KANT)
JUDGE

31.01.2017

Bhumika

(SUDIP AHLUWALIA)
JUDGE

Whether speaking / reasoned : Yes

Whether Reportable : No