

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.3216 of 2017.

Date of Decision: February 20, 2017

Smt.Sarti Devi

.....Petitioner

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 Kumar Sangwan, Advocate, for the petitioner.

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

The petitioner is widow of an Ex-serviceman. Her husband retired from the Defence Services as an Honorary Captain. Petitioner applied for 10 marla plot in Sector-18, Urban Estate, Rewari, which is a Defence sector developed by HUDA. The petitioner was successful in draw of lots and Plot No.453, Sector-18 (Defence), Rewari was allotted to her. However, allotment letter was not issued on the premise that her husband was an Honorary Captain in Defence Services, and thus she was not entitled to apply for 10 marla plot and ought to have applied a plot smaller in size.

The question whether the HUDA authorities could differentiate between the Commissioned Officer or Non-commissioned Officers in the matter of size of plots has been settled by this Court in favour of Ex-servicemen vide various orders like dated 01.02.2012 passed in CWP No.18393 of 2008 (The Hisar Ex-Naval Personnel Welfare Society versus State of Haryana and another) and other connected cases; order dated 03.08.2006 passed in CWP No.10272 of 2006 (Rakesh Kumar Bhatia versus Haryana Urban Development Authority and others), and order dated

CWP No.3216 of 2017. [2]  
versus Haryana Urban Development Authority and others).

In this view of the matter, it appears that claim of the petitioner is also squarely covered by the above-cited decisions. The writ petition is accordingly disposed of with a direction to the respondent-HUDA-authorities to verify the petitioner's claim and if the factual assertions made by her are found to be correct, let her entitlement for allotment of the plot be determined in the light of the above cited decisions. Let the needful be done within a period of three months from the date of receiving a certified copy of this order.

Ordered accordingly.

*Dasti.*

[SURYA KANT]  
JUDGE

February 20, 2017  
*mohinder*

[SUDIP AHLUWALIA]  
JUDGE

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|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether Reportable        | : | Yes/No |