

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.3517 of 2017.

Date of Decision: February 22, 2017

Desh Raj

.....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.  
Mr. Deepak Balyan, Advocate, for respondent Nos.1 & 2.

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

Notice of motion to respondent Nos.1 & 2 only at this stage.

On our asking, Mr.Deepak Balyan, Advocate, accepts notice on their behalf.

Let two copies of the writ petition be supplied to him during the course of day failing which this order shall be automatically recalled and the writ petition shall be deemed to have been dismissed for non-prosecution.

In view of the nature of order which we propose to pass, it is not necessary serve respondent No.3 or seek any counter-reply from respondent Nos.1 & 2 at this stage.

The petitioner is an ex-serviceman who retired from the rank of Honorary Lieutenant in Indian Navy. He applied for allotment of a 10 marla plot in Sector-8 (Defence), Rewari and was successful in draw of lots. Plot No.509 was allotted to him but allotment letter was not issued on the plea that the petitioner was not an Ex-Commissioned Officer and he was entitled to a plot smaller in size. Such controversy has been settled by this Court

vide order dated 10.10.2012 passed in CWP No.13630 of 2012 (Chander Bhan Sharma versus Haryana Urban Development Authority and others).  
Special Leave Petition against the said decision has also been dismissed by the Hon'ble Supreme Court.

The petitioner is said to have represented the authorities for giving effect to the cited decision in his favour but finding no response to his representation dated 25.10.2016 that the instant writ petition has been filed.

Having heard learned counsel for the parties, we dispose of this writ petition with a direction to the respondent-authorities to verify the above-stated claim of the petitioner and determine his eligibility in the light of the cited decision in Chander Bhan Sharma's case (supra). Let the needful be done within a period of two months from the date of receiving a certified copy of this order.

Ordered accordingly.

*Dasti.*

[SURYA KANT]  
JUDGE

February 22, 2017  
*mohinder*

[SUDIP AHLUWALIA]  
JUDGE

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