

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.4943 of 2017.

Date of Decision: March 10, 2017

Narender Kumar and another

.....Petitioners

versus

HUDA and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Saurabh Dalal, Advocate, for the petitioner.

Mr.Deepak Balyan, Advocate, for HUDA.

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Surya Kant, J. (Oral)

Notice of motion.

On our asking, Mr.Deepak Balyan, Advocate, accepts notice on behalf of the respondents.

Let two copies of the writ petition be handed-over to him during the course of day.

In view of the nature of order which we propose to pass, there is no necessity to seek any counter-reply from the respondents at this stage.

The case of the petitioners is that their residential house constructed on a plot measuring 580 square yard comprised in Khewat Nos.3840/2073, 3876/2072, falling within the municipal limits of Bahadurgarh was released from acquisition on 08.01.2003. The surrounding land was acquired by the State of Haryana vide Award dated 24.04.1998 for the purpose of development of residential Sector-9 by HUDA at Bahadurgarh. Upon release of the house which now falls in Sector-9, Bahadurgarh, the petitioners have deposited the development charges

writ petition is that more than 8 years have passed but no basic amenities like water, sewerage and roads etc. have been provided to their house by the HUDA authorities. In response to the legal notice served on behalf of the petitioners, Executive Engineer, HUDA, Bahadurgarh had replied on 17.04.2013 that such services cannot be provided due to pending litigation/encroachment.

We find that the above-stated reasoning assigned by the HUDA authorities is totally vague and evasive. The petitioner cannot be denied basic amenities and it is imperative upon the authorities to find-out some ways and means to do the needful. Since the petitioners might suggest as to how such amenities can be alternatively provided to them, we dispose of this writ petition with liberty to the petitioners to submit their representation-cum-proposal which shall be considered and decided by the HUDA authorities within a period of three months from the date of its submission.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

March 10, 2017
mohinder

[SUDIP AHLUWALIA]
JUDGE

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