

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.6397 of 2017.

Date of Decision: March 28, 2017

Duli Chand

.....Petitioner

versus

Haryana Urban Development Authority and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Mahesh Kumar Sangwan, Advocate, for the petitioner.
Mr. Deepak Balyan, Advocate, for the respondents,

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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 three 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 to seek any counter-reply from the respondents at this stage.

The petitioner is an ex-serviceman who retired from the rank of Honorary Captain in Indian Army. He applied for allotment of a 10 marla plot in Sector-8 (Defence), Rewari and was successful in draw of lots. Plot No.463 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 25.09.2016 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

March 28, 2017
mohinder

[SUDIP AHLUWALIA]
JUDGE

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