

**CWP no.15688 of 2013 (O&M)
and connected cases**

1

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

1. CWP no.15688 of 2013 (O&M)

Kailash Kumar Sharma

....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

2. CWP no.15771 of 2013 (O&M)

Sandeep Yadav and another

....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

3. CWP no.15772 of 2013 (O&M)

Sanjay Kakkar

....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

4. CWP no.15780 of 2013 (O&M)

R.K.Sachdev

....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

Date of Decision : 16.02.2018

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE RAJBIR SEHRAWAT**

**CWP no.15688 of 2013 (O&M)
and connected cases**

2

Present : Mr. A.K.Chopra, Sr. Advocate with
Ms. Rupa Pathania, Advocate for petitioners

Mr. Amar Vivek, Addl. AG, Haryana

Mr. Vikas Behl, Sr. Advocate with
Mr. Akshay Rawal, Advocate

Mr. Akshay Bhan, Sr. Advocate with
Mr. Amandeep Singh, Advocate

Mr. Sunil Nehra, Advocate
Mr. P.K.Mutneja, Advocate
Mr. Durgesh Aggarwal, Advocate
Ms. Ruchita Garg, Advocate for
Mr. Vishal Garg, Advocate
Mr. Suman Jain, Advocate
Mr. Mahesh Sangwan, Advocate
Mr. Sunny Bhardwaj, Advocate
Mr. Jagjeet Beniwal, Advocate
Mr. Akshay Goyal, Advocate
Mr. Balraj Gujjar, Advocate
Mr. P.K.Jain, Advocate
Mr. Paramjeet Phor, Advocate
Ms. Vaishali Singla, Advocate for applicant
Mr. Dilbagh Singh, Advocate

MAHESH GROVER, J.(ORAL)

CM no. 1747-CWP of 2018 in CWP no. 15688 of 2013

Allowed as prayed for. Report of the committee is taken on
record.

Main cases

This order will dispose of four writ petitions bearing CWP nos.
15688, 15771, 15772 and 15780 of 2013.

On 14.5.2015 this Court had passed the following order:-

“In view of the consent of the parties; the following
order is passed in the light of directions given in Mulakh Raj

Dhamija's case (supra) :

1. We deem it appropriate to constitute a Committee to assess the financial viability and technical feasibility of each of the applicants, who appeared before the earlier selection committee. The Committee shall consist of (i) Shri Vijay Vardhan, IAS, Additional Chief Secretary to Government of Haryana; (ii) Dr. Mahavir Singh, IAS, Principal Secretary to Government of Haryana; & (iii) Shri Ashwini Kumar, Additional Director of Industries, Haryana. The said Committee shall prepare an objective, transparent and fair criteria to assess the suitability of each of the applicants for the plots on the basis of the documents filed alongwith their respective applications. If more applicants than the plots available are found suitable, the Committee shall hold draw for allotment of plots before making recommendations to this Court. If any previously successful candidate is found suitable, the Committee shall make an endeavour to recommend the allotment of the same plot so as maintain the allotment of plot allotted.

2. The said Committee shall make an attempt to submit report within four months to this Court for further necessary action. It shall be open to the Committee to seek any clarification or direction required to give effect to the orders passed.

3. However, till further orders, none of the successful allottees shall sell, create third party interest in any manner or create any encumbrance over the plots allotted except to carry out their normal business activities. Wherever, the allottees, who have not started construction, are restrained from raising construction but where the construction is in progress, the same shall be completed subject to the decision of the writ petitions.

4. These interim measures are subject to the final decision of the writ petitions without creating any equity or any right in favour of any person.”

Pursuant thereto the report has been received. We, therefore, feel that since the aforesaid directions have been complied with, the instant writ petitions have been rendered infructuous and the same are disposed of as such with liberty to the persons who are aggrieved of the findings of the report to take recourse to their remedies in law.

Needless to say that as long as report subsists persons who have
been selected would necessarily get the benefit of the allotment

(Mahesh Grover)
Judge

16.02.2018
rekha
Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No

(Rajbir Sehrawat)
Judge