

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-17216-2017

Date of Decision: October 01, 2018

Sube Singh and another

.....Petitioners

Versus

Haryana Urban Development Authority and another

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

Present: Mr.S.K.Yadav, Advocate for the petitioners.

Mr.Deepak Sabharwal, Advocate for the respondents.

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SURYA KANT, J.(ORAL)

The petitioners are ex-servicemen. They held the rank of Honorary Lieutenant and Honorary Captain, respectively. They applied for allotment of residential plots in Defence Sector 18, Rewari and were successful in draw of lots for allotment of 14 marla plots. The allotment letters were not issued on the ground that their rank being Honorary, they were eligible for allotment of plots of 8 marla or smaller sizes. The classification based upon the rank of defence personnel for the purpose of allotment of size of a plot was disapproved by this Court in CWP-13630-2012 decided on 10.10.2012 (**Chander Bhan Sharma vs Haryana Urban Development Authority and others**) (Annexure P-6), which has been upheld by the Hon'ble Supreme Court. Somewhat similar controversy was also decided by this Court vide order dated 16.02.2017 passed in CWP-

others) (Annexure P-7).

[2] Following the cited decisions, the writ petition is allowed and the respondents are directed to issue allotment letters to the petitioners on the rate prevalent in the year 2010 when they were successful in draw of lots. However, the petitioners shall be liable to pay interest on the delayed payments in addition to the interest on the due installments.

**(SURYA KANT)
JUDGE**

October 01, 2018
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**(SUDIP AHLUWALIA)
JUDGE**

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| 1. Whether speaking/reasoned ? | Yes/No |
| 2. Whether reportable ? | Yes/No |