

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

CWP No. 17239 of 2017

Date of decision: 04.05.2018.

Balwant Singh

..... Petitioner.

Versus

Haryana Urban Development Authority and others

..... Respondents.

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present: Mr. M.K. Sangwan, Advocate, for the petitioner.

Mr. Deepak Balyan, Advocate, for the respondents.

ANUPINDER SINGH GREWAL, J.

The petitioner has impugned the order dated 24.01.2017 (Annexure P-2) whereby his representation for issuance of allotment letter of a plot has been rejected.

2. The petitioner, who is stated to have retired from the Indian Army as Honorary Lieutenant, had applied for allotment of a 10 marla plot in Sector 18 (Defence), HUDA, Rewari. The draw of lots was held in the month of November 2010 and the petitioner was held to be successful therein and plot bearing No.314, Sector 18 (Defence), HUDA, Rewari was allotted to him. It is the case of the petitioner that although he was successful in the draw of lots but allotment letter was not issued to him. He had represented to the respondents and on their failure to take any action, he approached this Court earlier by preferring CWP No.14672 of 2016, which was disposed of on 26.07.2016 with a direction to the respondents to take a decision on the representation of the petitioner. The representation of the petitioner was rejected vide order dated 24.01.2017 (Annexure P-2), which has been impugned in this petition.

3. Learned counsel for the petitioner has submitted that as the petitioner was successful in the draw of lots, he should have been issued the allotment letter.

4. Learned counsel appearing for the respondents has, however, contended that the entire matter is being re-examined by the competent authority and a fresh order shall be passed after determining the eligibility of the petitioner. He has drawn our attention to para No.4 of the preliminary objections in the written statement filed on behalf of the respondents wherein it has been averred that the matter has again been examined and considered by the competent authority and it has been decided to pass fresh orders in all the cases after ensuring that the applicants including the petitioner fulfill all other requirements of the policy/eligibility criteria before allotments are made.

5. In view of the stand of the respondents that the matter is being re-examined by the competent authority, we deem it appropriate to dispose of this petition with a direction to respondent No.1 to decide the claim of the petitioner afresh in accordance with law after affording him an opportunity of hearing within a period of three months from the date of receipt of certified copy of this order.

6. The petition stands disposed of accordingly.

(AJAY KUMAR MITTAL)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

04.05.2018
Ramesh

Note: 1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No