

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.17195 of 2018.

Date of Decision: July 17, 2018

Rajesh Kumar and others

.....Petitioners

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Ashish Chaudhary, Advocate, for the petitioners.

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Surya Kant, J. (Oral)

Plot No.285-P, Defence Sector-18 at Rewari, measuring 8 marla was allotted to late husband of petitioner No.2 and father of petitioner Nos.1 & 3 to 5. The deceased-allottee was an ex-serviceman. The allotment was made in the year 2010. The said allotment was abruptly cancelled after more than 8 years on the ground that the deceased-applicant mentioned the sub-category of 'Para-Military Force' and not the 'Armed Forces'. The petitioners' plea is that it was a *bonafide* mistake committed due to old age. The Estate Officer has vide impugned order dated 04.04.2018 rejected the petitioners' request for restoration of allotment.

Since the above-stated order is appealable before the Chief Administrator, HUDA under the Haryana Urban Development Authority Act, 1977, we dispose of this writ petition at this stage with liberty to the petitioners to file appeal and in turn, the Chief Administrator, HUDA is directed to consider and decide the appeal within three months from the date of its filing. The appeal may be filed within one month from today. We have

no reason to doubt that the Appellate Authority shall consider the plea taken

by the petitioners sympathetically, especially when no loss of revenue has been caused to HUDA in terms of the allotment price.

Dasti.

[SURYA KANT]
JUDGE

July 17, 2018
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(SUDIP AHLUWALIA)
JUDGE

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