

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.17722 of 2018

Date of Decision: July 20, 2018

Mahesh 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.Sandeep Sharma, Advocate, for the petitioners.

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Surya Kant, J. (Oral)

The claim of the petitioners for allotment of plots by HSIIDC under the Oustees Policy dated 07.12.2007, has been turned down vide communication dated 08.06.2018 on the premise that acquired part of their land is less than 75% of their total holding, hence they are ineligible for allotment of plots under the R&R Policy, 2007, referred to above. The petitioners in response to the above-stated communication, have submitted their reply dated 02.07.2018 (P-5) pointing-out, inter-alia, that their 100% land has been acquired and as such, they are fully eligible in terms of the Policy dated 07.12.2007.

Whether or not the petitioners, by virtue of acquisition of their 100% land are eligible for allotment of plots as oustees under the R&R Policy of 2007, is a question of fact which can be determined on the basis of record of acquisition of their land. Since, they have taken a categorical stand that their 100% land stands acquired, we direct the Estate Manager, HSIIDC, Gurugram to verify such claim and if it is found that the petitioners' plea is correct as per record and they are eligible for allotment of plots under the 2007-Policy, let their claim be forwarded to the Competent

Authority for necessary action, within a period of two months from the date

of receiving certified copy of this order or it be decided by way of a reasoned order within four months.

The writ petition stands disposed of accordingly.

Dasti.

[SURYA KANT]
JUDGE

July 20, 2018
mohinder

(SUDIP AHLUWALIA)
JUDGE

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