

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

CWP No.18071 of 2018 (O&M)

Date of Decision: 25.07.2018

Krishna Yadav

...Petitioner

VS.

State of Haryana & Ors.

... Respondents

**Coram : Hon'ble Mr.Justice Surya Kant
Hon'ble Mr.Justice Sudip Ahluwalia**

Present: Mr. Shilesh Gupta, Advocate for the petitioner

SURYA KANT J. (Oral)

(1) The land of the petitioner situated within the revenue estate of village Jharsa, Gurugram was utilized by the State of Haryana/HUDA for a public purpose. In lieu thereof, the petitioner agreed to take a plot under the Exchange Policy (P1). According to the petitioner, the exchange policy provides that the plot size shall be equivalent to 40% of the land taken by the State Government/HUDA for public purpose. It is alleged that contrary to the above-stated policy dated 04.01.2017, the petitioner has been offered plot No.93-P, measuring 420 sq.mtrs. vide allotment letter dated 05.01.2018 (P2) and while allotting the same, 20% extra price has been demanded on the plea that the plot is “preferential” as per its location.

(2) The petitioner has thus two-fold grievances. Firstly, she alleges that though the plot is a corner plot yet as per the policy, she is not liable to pay any additional cost. Secondly, the size of plot is smaller than the one she is entitled to as per the area of utilized land. Both these issues have been raised by the petitioner vide representation dated 09.03.2018 on which no final decision appears to have been taken by the competent authority. In the light of the facts noticed above, and without expressing any views on the

merits, the writ petition is disposed of with a direction to respondents No.2&3 to consider the petitioner's claims and take an appropriate decision as per the policy (P1) within three months from the date of receipt of certified copy of this order.

(Surya Kant)
Judge

25.07.2018

vishal shonkar

(Sudip Ahluwalia)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes
No