

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-20196-2017

Date of Decision: July 18, 2018

Shri Niwas

.....Petitioner

Versus

State of Haryana and others

.....Respondents

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

Present: None for the petitioner.

Mr.Deepak Balyan, Advocate for HUDA.

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SURYA KANT, J.(ORAL)

Land of the petitioner measuring 415 sq.yards situated in the revenue estate of village Bahadurgarh, District Jhajjar, fully described in para 2 of the writ petition, was acquired by State of Haryana vide Award No.9 dated 25.06.2004. The petitioner applied for allotment of a plot under the 'Oustees Quota' in lieu of the acquired land and his claim was disposed of vide order dated 14.05.2013 (Annexure P-2), relevant part whereof reads as follows:-

“After a detailed deliberation and going through the available record it has been found that the petitioner did not apply within the stipulated period of allotment of residential plot in Sector -10, Jhajjar. In these circumstances the Oustees Screening Committee decided that he cannot be allotted the residential plot at this stage. The case of the petitioner will be considered at the time of next floatation of that particular sector where his land was acquired on merits strictly under the policy and on receipt of his proper application alongwith requisite amount of earnest money. The Estate Officer,

HUDA Bahadurgarh will inform the petitioner accordingly.”

[2] It is thus revealed that though the request of the petitioner was declined yet the authorities recommended that the petitioner may apply again as and when fresh applications are invited from the oustees. However, even after about five years, the petitioners are awaiting for the advertisement as no fresh attempt has thereafter been made to settle the claim of oustees.

[3] The Court was informed in CWP No.3928 of 2017 that a new 'Ousteas Policy' has been approved by the Competent Authority and is likely to be notified within few days. It was also stated that as soon as the new policy would be notified, advertisements will be issued inviting claims of the oustees.

[4] In the light of the facts noticed above, and for the reason that petitioner cannot be compelled to wait endlessly, the writ petition is disposed of with a direction that let claim under the 'Ousteas Quota' in respect of acquisition of land of the petitioner, or other similarly placed Ousteas be invited within a period of four months from the date of receipt of a certified copy of this order. The petitioner shall be at liberty to apply in response to the fresh advertisement and his application shall be considered as per law/Policy.

(SURYA KANT)
JUDGE

July 18, 2018
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(SUDIP AHLUWALIA)
JUDGE

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

Yes/No
Yes/No