

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

209

**CWP-6987-2017
Date of Decision: 07.03.2018**

MAHENDER SINGH

....Petitioner.

Versus

STATE OF HARYANA & ORS.

...Respondents.

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

Present: Mr. N.D. Achint, Advocate
for the petitioner.

Mr. Sandeep Moudgil, Additional Advocate General,
Haryana.

Mr. Deepak Sabherwal, Advocate for
respondents No.2 and 3.

AJAY KUMAR MITTAL, J. (Oral)

The petitioner has filed the petition under Article 226/227 of the Constitution of India, for issuance of a writ in the nature of mandamus, directing the respondents to allot the alternative plot No.193P measuring 1 kanal in Sector 28, Gurgaon to the petitioner in view of letter (Annexure P-4) dated 15.07.2010 and order of this Court passed in CWP No.9247/2011 (Annexure P-5) dated 01.03.2012.

2. The petitioner has approached this Court, inter alia, claiming relief of allotment of plot No.1604, Sector 57, Gurugram.

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

CWP-6987-2017

-2-

3. Written statement on behalf of respondents No.2 and 3 has been filed in court today and the same is taken on record, subject to all just exceptions. A copy thereof has been handed over to the learned counsel for the petitioner. It has, *inter alia*, been stated in paras 4 and 5 of the preliminary objections that plot No.1604, Sector 57, Gurugram has been offered to the petitioner vide office memo No.180 dated 10.09.2015 and now since the litigation in respect of the same is over and the petitioner vide letter memo No.8406 dated 22.11.2017 (Annexure R-4) has been asked to take possession of the said plot.

4. Para No. 4 and 5 of the preliminary submissions reads thus:

“4. That accordingly possession of the originally allotted Plot No.1604 Sector 57, Gurugram was offered to the petitioner vide office memo No.180 dated 10-09-15. A copy of the same is annexed herewith as Annexure R-3. Hence, the present writ petition is not maintainable on the ground that the possession of the originally allotted plot was already offered by Estate Officer-II, HUDA, Gurugram. The originally allotted plot is now clear, vacant and fully developed at site.

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-6987-2017

-3-

5. That the plot in question again came under litigation in CWP No.14420 of 2014 and the same was dismissed on 06.11.2017. Accordingly petitioner was informed vide memo No.8406 dated 22.11.2017 to take the possession of plot No.1604, Sector-57, Gurugram. A copy of the same is annexed herewith as Annexure R-4. It is further, pertinent to mention here that 158 plots were affected in CWP No.14420 of 2014, after dismissal of said CWP No.14420 of 2014 all were invited to take physical possession of their plots.”

4. In view of the aforesaid, the dispute of the petitioner has been rendered infructuous and the present writ petition is disposed of as such.

(AJAY KUMAR MITTAL)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

07.03.2018

SwarnjitS

Whether speaking/reasoned : YES/NO

Whether reportable : YES/NO