

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

**CWP No.3321 of 2008
Date of decision: 25.03.2019**

Santosh Chauhan

... Petitioner

Versus

State of Haryana and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI,
CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

Present: Mr. Vikas Bahl, Senior Advocate, with
Ms. Har Bani Singh, Advocate, for the petitioner.
Mr. Deepak Balyan, Additional Advocate General, Haryana.

KRISHNA MURARI, C.J. (Oral)

Heard learned counsel for the parties.

Issue raised in this petition with respect to cancellation of allotment made by the respondent-HUDA in favour of the petitioner with respect to plot No.64-J, Sector 18, Industrial Area, Gurgaon, stands squarely covered by a Division Bench judgment dated 18.05.2006, rendered in Civil Writ Petition No.6836 of 2005 (**Jagir Singh v. State of Haryana and others**) duly affirmed by the Hon'ble Apex Court by dismissal of the SLP (C) No.22093 of 2007, vide order dated 04.01.2016. The matter of Jagir Singh (supra) was allowed by making the following observations:

“As a result of the aforesaid discussions, we allow the present petition. The order/communication dated March 10, 2005 (Annexure P-10) issued by the Estate Officer, HUDA, respondent No.3 is set aside. The respondents are directed to hand over the possession of the plot in question to the petitioner, in accordance with law. The petitioner shall be required

to re-deposit the amount of 15% which has been refunded by the Estate Officer along with communication dated March 10, 2005, within a period of two weeks from the date a certified copy of this order is received. On receipt of the aforesaid payment, the possession of the plot in question shall be handed over to the petitioner within a period of one month thereafter. The petitioner, however, shall be liable to make the remaining payment in accordance with the stipulations contained in the Allotment Letter.”

It is pertinent to mention at this stage that this writ petition was adjourned *sine die*, vide order dated 12.08.2009, to await the decision of SLP No.22039 of 2007, which was pending before Hon’ble the Supreme Court against the Division Bench judgment of this Court in the case of Jagir Singh (supra).

Learned counsel appearing for the parties are not at issue that the matter is squarely covered by the aforesaid judgment.

In view of above, this petition stands disposed of in the same terms as judgment dated 18.05.2006 in the case of Jagir Singh (supra).

(Krishna Murari)
Chief Justice

(Arun Palli)
Judge

25.03.2019
Rajan

Whether speaking / reasoned:	YES
Whether Reportable:	NO