

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

-:-

CWP No. 11267 of 2018 (O&M)

Date of decision: 20.02.2019

Parvin Jain

.....Petitioner

Vs.

State of Haryana & Ors.

...Respondents

**CORAM: HON'BLE MR. JUSTICE MAHESH GROVER
HON'BLE MR. JUSTICE LALIT BATRA**

Present:- Mr. Pankaj Yadav, Advocate, for the petitioner.

Mr. Ankur Mittal, Addl. A.G. Haryana.

Mr. Deepak Sabherwal, Advocate, for respondent Nos. 2 and 3.

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MAHESH GROVER, J. (Oral)

The petitioner has prayed for allotment of plot No. 1082-E in Sector 52, Gurugram. He was originally allotted Plot No. 402 in the same sector, which was under dispute. Even the one offered to the petitioner was said to be under dispute, but now during the pendency of the petition the respondents have placed on record an order passed by the Estate Officer-II, Gurugram. The relevant is reproduced below:-

“Now as per latest report dated 08.02.2019 taken from the concerned Junior Engineer of this office it has been intimated that the plot No.1082-E, Sector-52, Gurugram is not in dispute and further that the plot is clear and vacant at site. A letter has also been issued vide this office memo No.HSVP/EO_II/2019/Asstt-52/979 dated 08.02.2019 to the concerned Executive Engineer regarding status of development work near plot No.1082-E, Sector-52, Gurugram. It is further submitted that as and when is report received from concerned Executive Engineer regarding development of work, offer of possession will be offered to the petitioner.”

A letter is retained on record as mark 'A'.

In view of the above, we are of the opinion that the grievance of the petitioner now stands redressed and no fruitful purpose will be served by keeping the petition alive. We would, therefore, dispose of the petition as having been satisfied but subject to the condition that physical vacant possession of the plot be handed over to the petitioner positively within a period of four weeks from the date of receipt of certified copy of this order.

Mr. Sabherwal states that the period for construction or any other attending liabilities of the plot would commence only after physical possession of the plot has been handed over to the petitioner.

(MAHESH GROVER)
JUDGE

February 20, 2019
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(LALIT BATRA)
JUDGE

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