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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP No.12756 of 2021
Date of Decision: 15.07.2021

JASWANT SINGH

..... Petitioner

Versus

STATE OF HARYANA AND ANOTHER

..... Respondents

**CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA
HON'BLE MR. JUSTICE VIVEK PURI**

Present: Mr. Roopak Bansal, Advocate for the petitioner.

Mr. Sandeep Moudgil, Addl. AG, Haryana.

TEJINDER SINGH DHINDSA , J.(ORAL)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

As per pleadings on record, petitioner had been allotted residential plot bearing No.458-A, admeasuring 6 Marlas in Sector 110-A in Urban Estate, Gurugram on free hold basis vide allotment letter dated 19.03.2018 placed on record at Annexure P-2. Case of the petitioner is that such plot had been allotted under the oustee quota.

Instant petition has been filed seeking a mandamus directing the respondent- HUDA authority to allot him an alternate plot.

In support of the prayer raised in the instant petition, counsel has adverted to memo dated 22.01.2021 (Annexure P-5) issued from the office of the Estate Officer-I, Haryana Shehri Vikas Pradhikaran, Gurugram and addressed to the Administrator, Haryana Shehri Vikas Pradhikaran,

Gurugram and a perusal thereof would reveal that the respondent authorities are conceding that there is a connectivity issue as regards the plot already allotted on account of an existing colony. Such memo at Annexure P-5 further reveals that in the case of a similarly situated allottee i.e. the adjoining plot No. 458-B an alternate plot bearing No.765, Sector 37-C, Gurugram has already been allotted.

Contention raised is that inspite of such admitted ground position, a bona fide claim of the petitioner for allotment of an alternate plot is still hanging fire and a final decision has not been taken.

In the light of such limited grievance raised we are inclined to dispose of the present writ petition at the very threshold and without even ascertaining the correctness of the averments made in the petition in terms of directing respondent No.3 to examine the claim of the petitioner by treating the instant writ petition itself as a claim petition and to take a final decision with regard to allotment of an alternate plot within a period of six weeks from the date of receipt of the certified copy of this order.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

(VIVEK PURI)
JUDGE

15.07.2021

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