

CWP-18244 of 2020

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

(PROCEEDINGS THROUGH V.C.)

CWP-18244 of 2020
Date of Decision: 02.03.2021

Sudhir Kumar

...Petitioner

Versus

Chief Administrator, Haryana Shahri Vikas Pradhikaran and others
....Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present:- Mr. Jai Vir Yadav, Advocate,
for the petitioner.

Mr. R.S. Bhatia, Advocate,
for respondents No.2 and 3.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court praying for a writ of certiorari quashing the impugned order/list displayed/published in the newspaper dated 24.09.2020 (Annexure P-7) whereby the claim of the petitioner has been rejected by the respondents holding him not entitled for allotment of plot under the oustees quota.

It is the contention of the learned counsel for the petitioner that the petitioner fulfils all the requirements as mandated under the policy for considering the claim of the petitioner for allotment as an oustee and as a

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consequence thereof to allot a plot to him. It is asserted that the claim of the petitioner has wrongly been rejected on the ground that only 44% of the land of the petitioner has been acquired whereas according to the petitioner 100% land has been acquired. Under these circumstances, petitioner is entitled to the benefit of the oustees quota as the requirement is 75% land in the concerned revenue estate. Highlighting this aspect, petitioner has been approaching the respondents and the representations thereof have been mentioned and attached with the writ petition as Annexure 6(1) to 6(3) to respondents No. 2 and 3.

On considering the submissions made by the learned counsel for the petitioner, we are of the view that the case of the petitioner requires to be reconsidered and that too by the Administrator, Haryana Shahri Vikas Pradhikaran – respondent No. 2 with regard to the assertions of the petitioner.

Let the petitioner file a supplementary representation with supporting documents to highlight his claim for allotment of a plot under the oustees quota showing his entitlement. The said representation be submitted by the petitioner within a period of two weeks. In case, the petitioner submits the said representation to the Administrator, Haryana Shahri Vikas Pradhikaran, Sector 14, Gurugram – respondent No. 2 within the said period of two weeks, the same shall be considered and a decision taken thereon by the said authority within a period of six weeks from the date of submission of such representation. Decision so taken by the said competent authority be conveyed to the petitioner forthwith. In case, the

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claim of the petitioner is accepted the consequential benefits be also released to the petitioner in accordance with law.

(Augustine George Masih)
Judge

March 02, 2021
R.S.

(Ashok Kumar Verma)
Judge

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