

211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision: 06.12.2021

1. CWP-19304-2020(O&M)

Jagan Nath Batra Petitioner

versus

State of Haryana and others Respondents

2. CWP-20177-2020(O&M)

Krishna Devi Petitioner

versus

Haryana Shehri Vikas Pradhikaran and others Respondents

3. CWP-19784-2020(O&M)

Mamta Devi Petitioner

versus

Haryana Shehri Vikas Pradhikaran and others Respondents

4. CWP-19787-2020(O&M)

Surinder Saini Petitioner

versus

Haryana Shehri Vikas Pradhikaran and others Respondents

5. CWP-19788-2020(O&M)

Varinder Saini Petitioner

versus

Haryana Shehri Vikas Pradhikaran and others Respondents

6. CWP-19789-2020(O&M)

Daya Ram Petitioner

versus

Haryana Shehri Vikas Pradhikaran and others Respondents

7. CWP-8857-2021(O&M)

Hari Singh Petitioner

versus

State of Haryana and others Respondents

8. CWP-12919-2021(O&M)

Hans Ram Petitioner

versus

State of Haryana and others Respondents

9. CWP-23355-2021(O&M)

Vinay Gupta and another Petitioners

versus

State of Haryana and others Respondents

**CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA
HON'BLE MR. JUSTICE VINOD S. BHARDWAJ**

Present: Mr.Gopal Sharma, Advocate for the petitioner(s)
(in CWP Nos. 19304 of 2020 and 12919 of 2021).

Mr.Ajay Nara, Advocate for the petitioner(s)
(in CWP Nos. 20177, 19784, 19787, 19788 and 19789 of 2020).

Mr.B.K.Bagri, Advocate for the petitioner(s)
(in CWP No. 8857 of 2021).

Mr.Neeraj Gupta, Advocate for the petitioner(s)
in CWP No. 23355 of 2021.
Mr.Aman Bahri, Addl.AG, Haryana.

Mr. Deepak Sabherwal, Advocate for respondent-HSVP
(in CWP Nos. 19304, 20177, 19784, 19787, 19788 and 19789
of 2020 and 8857 of 2021).

Mr.Deepak Balyan, Advocate for respondent-HSVP
(in CWP No. 23355 of 2021).

Mr. Arvind Seth, Advocate for respondents No. 2 to 5
(in CWP No. 12919 of 2021).

TEJINDER SINGH DHINDSA, J. (ORAL)

This order shall dispose of CWP No. 19304 of 2020 titled as Jagan Nath Batra vs. State of Haryana and others as also CWP No.20177 of 2020 (Krishna Devi vs. Haryana Shehri Vikas Pradhikaran and others), CWP No.19784 of 2020 (Mamta Devi vs. Haryana Shehri Vikas Pradhikaran and others), CWP No.19787 of 2020 (Surinder Saini vs. Haryana Shehri Vikas Pradhikaran and others), CWP No.19788 of 2020 (Varinder Saini vs. Haryana Shehri Vikas Pradhikaran and others), CWP No.19789 of 2020 (Daya Ram vs. Haryana Shehri Vikas Pradhikaran and others), CWP No.8857 of 2021 (Hari Singh vs. State of Haryana and others), CWP No.12919 of 2021 (Hans Ram vs. State of Haryana and others) and CWP No.23355 of 2021 (Vinay Gupta and another vs. State of Haryana and others) as identical issue is involved in these bunch of petitions.

Challenge in these writ petitions is to a draw of lots held by the Haryana Shehri Vikas Pradhikaran (HSVP) on 21.09.2020 pertaining to allotment of plots under the oustee category in lieu of land acquired in Rewari district.

In brief it may be noticed that a public notice dated 04.09.2018 had been issued inviting applications for allotment of plots under the oustee category. The applicable Oustee Policy was dated 11.08.2016 (Annexure P-3). In terms of clause 17 of such policy the draw of lots was to be conducted within a period of 30 days after the closing date in the advertisement. The petitioners, apart from pointing out various other infirmities, had raised an objection that the draw of lots had, in fact, been conducted after a period of 01 year and 08 months.

In this bunch of petitions there is also a challenge to the proceedings of the Screening Committee dated 05.09.2020 and 21.09.2020 in pursuance to the public notice dated 04.09. 2018 (Annexure P-9).

We find that there would be no occasion for this Court to examine the merits of these cases as also the challenge laid on behalf of the petitioners in view of the stand taken by Mr.Deepak Sabherwal, learned counsel representing respondent-HSVP. Mr.Sabherwal has fairly conceded that certain discrepancies and infirmities have taken place in the draw of lots as also the proceedings of the Screening Committee pursuant to the public notice dated 04.09.2018. Accordingly a decision has been taken to scrap the entire process including the draw of lots held on 21.09.2020 as also the proceedings of the Screening Committee dated 05.09.2020 and 21.09.2020. Mr.Sabherwal would clarify that such stand is being taken in the light of a memo dated 16.08.2021 issued from the office of the Chief Administrator, HSVP, Panchkula and addressed to all the Administrators of the HSVP as also the Estate Officers.

We have been informed that now the entire process including the scrutiny of applications, draw of lots etc. would be conducted afresh and concluded within a period of three months from today.

Mr.Sabherwal would further clarify that such process of reconsideration would be confined to the applicants who had initially applied in response to the public notice dated 04.09.2018 (Annexure P-9).

In view of the above, nothing survives for adjudication in this bunch of writ petitions.

The same are disposed of,.

The respondent-HSVP would remain bound by the statement

suffered by Mr.Deepak Sabherwal and as recorded hereinabove.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

(VINOD S. BHARDWAJ)
JUDGE

06.12.2021
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Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No