

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

Date of decision: 1.11.2021

CWP-132-2021

Vikas Dahiya

....Petitioner

Versus

State of Haryana and others

...Respondents

CWP-52-2021

Rajesh Dahiya

....Petitioner

Versus

State of Haryana and others

...Respondents

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

Present : Mr. Munish Kumar Garg, Advocate for
Mr. Amit Kumar Jain, Advocate
for the petitioner (s).

Mr. Aman Bahri, Additional Advocate General, Haryana.

Mr. R.K. Sheoran, Advocate for the respondents-HSVP.

TEJINDER SINGH DHINDSA. J. (ORAL)

This order shall dispose of CWP No.132-2021 titled as “Vikas Dahiya versus State of Haryana and others and CWP No. 52-2021 titled as “Rajesh Dahiya versus State of Haryana and others as the issue involved in both the writ petitions is common.

Essentially petitioners are aggrieved of the action of the respondents- Hayana Shehari Vikas Pradikaran in having rejected their

claim for allotment of plot under the oustees category on the ground that at the time of issuance of the notification under Section 4 of the Land Acquisition Act they were not the owners.

The precise case that has been projected by the petitioners is that in the capacity of being the legal heirs of the true owners at the time of issuance of the notification under Section 4 the right for consideration under the oustees category cannot be denied. .

Mr. Rajesh Sheoran, learned counsel for the contesting Haryana Shehari Vikas Pradikaran informs the Court that during the pendency of instant petitions the matter has been reconsidered and a decision in principle has been taken to consider the claim of the petitioners for allotment under the oustees category afresh subject to fulfillment of other conditions of eligibility.

Mr. Rajesh Sheoran, learned counsel further submits that in the light of such subsequent development the order of rejection of the claim of the petitioners and which was assailed in these two connected writ petitions would not survive.

Further statement has been made that it would be open for petitioners now to apply afresh for allotment of a plot under the oustees categories on the web portal of the Haryana Shehari Vikas Pradikaran and which would positively be open within a period of 15 days from today.

In the eventuality of the petitioners applying afresh, the matter would be considered again for allotment under the oustees category and final decision would be taken within period of three months thereafter by way of

passing a detailed speaking order.

Statement made by Mr. Rajesh Sheoran, learned counsel is
accepted.

No further directions are required to be passed.

Writ petition are disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

(VINOD S. BHARDWAJ)
JUDGE

01.11.2021
Vishal sharma

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*