

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

**CWP-862-2021 (O&M)
Date of Decision:10.11.2021**

Om Parkash & sons (HUF)

... Petitioner

Versus

State of Haryana & others

... Respondents

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

Present:- Mr. Kulbhushan Sharma, Advocate for the petitioner.

Mr. Aman Bahri, Additional Advocate General, Haryana.

Mr. Rajesh K. Sheoran, Advocate for respondents No.2 and 3.

...

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.

Prayer in the instant petition is for allotment of a residential plot under the oustees quota of HUDA pursuant to applications dated 08.08.2011 (Annexure P-16) and 03.08.2015 (Annexure P-17) having been made by the petitioner along with requisite documents and fee.

Respondent-HUDA now HSVP (Haryana Shehri Vikas Pradhikaran) has opposed the prayer by taking the stand that in the light of the full Bench decision of this Court passed in case **Rajiv Manchanda and others vs. State of Haryana and another, 2018(4) RCR(Civil) 508** fresh advertisement(s) have been issued calling upon all oustees to apply by the closing date i.e. 19.12.2018. In the advertisement, it had also been stipulated that such land owners, who had applied for allotment of plots under the

oustee category in the previous advertisement(s) would have to apply afresh. It has been averred in the reply that the petitioner herein had chosen not to apply in response to the advertisement issued in December, 2018.

During the course of resumed hearing today, Mr. Rajesh K. Sheoran, learned counsel representing the Haryana Shehri Vikas Pradhikaran makes a statement that the web portal of the Pradhikaran would be opened in the month of November itself. In case the petitioner applies afresh for allotment of a residential plot under the oustee quota, his claim would be considered as per Oustee Policy dated 11.08.2016 (as amended upto date) and a final decision thereupon would be taken expeditiously.

Insofar as the amount of fee that had already been deposited by the petitioner on the previous occasion, Mr. Sheoran, Advocate states that it would be open for the petitioner to apply for refund thereof and which would also be processed in terms of the relevant Clause of the Oustee Policy dated 11.08.2016.

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

No further directions are required to be passed.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

(VINOD S. BHARDWAJ)
JUDGE

10.11.2021
harjeet

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| 1. Whether speaking/reasoned? | Yes/No |
| 2. Whether reportable? | Yes/No |