

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

115

CWP-4600-2022

Date of Decision : 09.03.2022

Subhash Yadav

--Petitioner

Versus

State of Haryana and others

--Respondents

**CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA
HON'BLE MR.JUSTICE LALIT BATRA**

Present:- Mr. Divya Singh, Advocate for
Mr. Vikram Singh, Advocate
for the petitioner.

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TEJINDER SINGH DHINDSA, J.(ORAL).

Challenge in the instant petition is to a rejection list/order dated 20.11.2020 (Annexure P-5) confined to the extent of rejection of the claim of the petitioner for allotment of a plot under the oustee quota.

Counsel has adverted to the impugned rejection list at Annexure P-5 wherein name of the petitioner figures at Serial No.585 and rejection is on the ground that land was released under Section 5A and not owner at the time of issuance of notification under Section 4 of the Land Acquisition Act.

The categoric contention raised by counsel is that the rejection is perverse and contrary to the Act. In such regard, it is asserted that the predecessor-in-interest of the petitioner held two land holdings. Insofar as the land holding which was a subject matter of acquisition for development of Sector 52, Gurugram, such land was released. However, the second land holding which was acquired for development of Sector 36, Gurugram, the entire land holding stood acquired. In support of such contention, counsel has referred to a certificate issued by the concerned revenue official and placed on record at Annexure P-12.

Notice of motion.

Since an advance copy of the writ petition has already been served upon the respondents, Mr. P.S.Chauhan, learned counsel has entered appearance on behalf of the respondent-HSVP.

Mr. Chauhan, learned counsel takes a stand that the entire issue has since been re-considered and a decision has been taken in principal that LR's of the original landowners would also be considered eligible under the oustee quota. It is further submitted that the matter is under re-consideration and the claim of the petitioner for allotment of a plot under the oustee quota would be re-examined and a final decision in regard thereto would be taken within a period of six weeks from today and would be duly conveyed to the petitioner.

Statement made by Mr. Chauhan, learned counsel is accepted.

No further directions are required to be passed.

Suffice it to observe that in the light of the stand recorded on behalf of the HSVP, the rejection qua the petitioner at Serial No.585 in the rejection list at Annexure P-5 would not survive.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

(LALIT BATRA)
JUDGE

09.03.2022

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- i) Whether speaking/reasoned? Yes/No
- ii) Whether reportable? Yes/No