

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

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CWP-24039-2022
Date of Decision: 23.11.2022

ASHWANI BAMBA AND ANR.

... Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Keshav Gupta, Advocate
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana.

VINOD S. BHARDWAJ, J. (ORAL)

The present writ petition has been filed under Article 226 of the Constitution of India, 1950 seeking issuance of a writ in the nature of Certiorari for quashing the judgment dated 10.11.2020 passed by the Hon'ble National Consumer Disputes Redressal Commission, New Delhi (Annexure P-11) to the extent it says that the petitioners will have to apply for a developed plot under a Fresh Advertisement.

Learned counsel for the petitioner contends that grievance of the petitioner in the present case is only to the extent that the National Consumer Disputes Redressal Commission, New Delhi has, while disposing the Revision Petition preferred by the respondent Haryana Urban Development Authority (now Haryana Shahri Vikas Pradhikaran - HSVP) directed the petitioner to apply for a developed plot under a Fresh Advertisement issued by the HSVP. He contends that the rights of the petitioners had to be determined in terms of the policy of 2004, which was invoked and the advertisement issued pursuant

thereto with the closing date of 05.04.2004 for General category and 05.05.2004 for the Reserved categories. He submits that the aforesaid direction runs contrary to the Full Bench Judgment of this Court passed in the matter of '*Rajiv Manchanda Vs. Haryana Urban Development Authority*' bearing *CWP No.22252 of 2016 decided on 22.11.2017*. He, however, fairly submits that the petitioner would have an alternative remedy of preferring a Review Application before the National Consumer Disputes Redressal Commission, New Delhi for correction of the aforesaid error in the directions so issued and to bring the same in conformity with the law as declared by this Court through its Full Bench Judgment (supra). He thus seeks permission to withdraw the present writ petition so as to take recourse to the alternative remedies available to him.

Dismissed as withdrawn with the liberty as aforesaid.

23.11.2022
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(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*