

116

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-17081-2022 (O/M)
Date of decision : 22.8.2022

Krishan Kumar Khurana

... Petitioner

Versus

State of Haryana and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU
HON'BLE MR. JUSTICE LALIT BATRA**

Present: Mr. Shalender Mohan, Advocate
for petitioner.

Ms. Tanisha Peshawaria, DAG Haryana
for respondents No. 1 and 2.

Ms. Meghna Malik, Advocate for
Ms. Shubhra Singh, Advocate
for respondents No. 3 and 4.

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HARINDER SINGH SIDHU, J.

Petitioner has filed this petition seeking directions to respondents to re-allot Plot No.2109, Sector-23, Sonapat (Category-10 Marla) to him.

Plot No.2109, Sector-23, Sonapat was allotted to the petitioner vide allotment letter No.6664 dated 6.11.1992 (Annexure P-1). The tentative price of the plot was Rs.1,73,052/-. As per the allotment letter, the petitioner had deposited an amount of Rs.18316/- along with the application. He was required to deposit an additional amount of Rs.25047/- within 30 days from the date of issuance of allotment letter to

constitute 25% of the total tentative price. The petitioner also deposited Rs.20,000/- on 1.6.1996 and Rs.25,047/- on 30.11.1997. Thereafter, the petitioner could not make any deposit on account of financial problems faced by him. The petitioner applied to respondents for surrender of the plot. It is stated that his request for surrender of plot was accepted and the amount so deposited was refunded to him.

The petitioner has neither placed on record his application whereby he requested for surrender nor has he given any details as to the amount that was refunded to him. All that is stated is that after year 1997, no installment was paid.

The petitioner has obtained information under RTI, as per which Plot No.2109, Sector-23, Sonapat, has not been allotted to any other person. Thereafter, he sent a legal notice dated 17.8.2021 requesting respondents to re-allot the plot in question to him. As no action was taken on same, he has filed present writ petition.

The petitioner was allotted the plot in question vide allotment letter No.6664 dated 6.11.1992. As per the allotment letter after deposit of 25 per cent of the tentative price within 30 days of the issuance of allotment letter, remaining 75 per cent amount was to be deposited within 60 days of the issuance of the allotment letter without interest or in six annual installments. Each installment was to be payable on or before 5th November of each year. As per the petitioner, apart from the initial deposit of Rs.18,216/-, he paid Rs.20,000/- on 1.6.1996 and Rs.25,047/- on 30.11.1997. Thereafter, he did not pay any installment. Rather, he made a request to respondents for surrender of the plot in question, which request, according to him, was accepted and the amount so deposited was

refunded to him. As the petitioner has given no details as to when the amount was refunded to him, presumably the same must have been in the year 1997 or immediately thereafter. Now, in the year 2021, petitioner has sent a legal notice to respondents for re-allotment of the said plot.

The petitioner himself had requested for surrender of the plot which request was accepted and the amount was refunded to him. The petitioner has no right to claim re-allotment of the same plot, moreso after about two decades of the surrender of the plot. There is no merit in the petition and same is accordingly dismissed.

(HARINDER SINGH SIDHU)
JUDGE

(LALIT BATRA)
JUDGE

22.8.2022
sjks

Whether reasoned order : Yes

Whether reportable : Yes / No