

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

**COCP-3888-2017 (O&M)
Date of decision: 27.03.2023**

Sarita Mehta @ Sarita Gogia & others

...Petitioners

Versus

J. Ganesan & another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Amit Kaith, Advocate
for the petitioners.

Mr. Viresh Shandilya, Advocate for
Mr. Deepak Balyan, Advocate
for the respondents.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners are alleging violation of the 01.09.2008, passed by this Court in CWP-6830-2007, vide which, it was held that the petitioners are eligible for allotment of a plot under the oustees category.

Learned counsel for the respondents has relied upon the judgment dated 25.04.2022, passed by the LPA Bench, as well as judgment dated 25.11.2015, passed by the Hon'ble Supreme Court in SLP No. 1815-2013, to submit that now a policy has been formed that as and when a scheme comes, it will be open for the petitioners to apply as their eligibility is not disputed.

During the course of arguments, it transpired that in 2018, applications were invited, however, the petitioners did not apply for the same, rather they moved an application in this contempt petition for issuing directions to the respondents to consider their case.

Be whatsoever, once the petitioners have not applied in

response to the applications, invited by the respondents, this Court cannot issue any such directions as this Court has only to look that if there is any violation of the order passed by the writ Court or not.

In view of the above, the present petition is rendered infructuous.

Rule stands discharged.

The petitioners are granted liberty to avail the alternative remedy, in accordance with law, if so advised.

27.03.2023
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>