

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

CWP-1689-2021(O&M)
Date of decision: 09.11.2023

Sukhbir Singh

... Petitioner

Versus

Haryana Shehri Vikas Pradhikaran and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr. Ankit Saini, Advocate, for
Mr. Ram Kumar Saini, Advocate, for the petitioner.
Mr. Deepak Sabherwal, Advocate,
for the respondents.

ARUN PALLI, J. (Oral)

The petitioner herein has prayed for the following substantive relief:

**“Civil Writ Petition Under Articles 226/227 of the
Constitution of India for issuance of appropriate writ,
order and direction more particularly in the nature of
mandamus thereby directing the respondents to
consider the name of petitioner in the draw of lots for
allotment of ten Marla plot under oustees quota in the
area of Sector 31-32-A or in the surrounding sectors in
terms of the oustees policy.”**

At the outset, learned counsel for the respondents has drawn our attention to the averments set out in para 8 of the written statement, which reads as thus:

“8. That for the purpose of consideration of said claims of legal heirs, all the legal heirs who had applied online with documents within the stipulated time as per public notice dated 23.12.2021 issued regarding policy instructions dated 26.10.2021 asking to submit the relevant documents in this regard in 30 days, time period, their applications will be considered strictly as per the ibid policies dated 04.12.2015, 11.08.2016 and 08.05.2018 as amended upto date and policy instructions dated 26.10.2021. A copy of the public notice dated 23.12.2021 is attached herewith as Annexure R-2.”

Accordingly, it is submitted that in terms of the policy instructions dated 26.10.2021 (R1), the petitioner is entitled to move a fresh application for allotment of site as an oustee along with the necessary certificate of Tehsildar, as indicated in Clause IV of the Policy. He submits that once the petitioner moves such an application appended therewith the certificate of Tehsildar within a period of four weeks from today, the Zonal Committee under the Chairmanship of the Administrator shall consider the claim of the petitioner and pass appropriate orders, in accordance with law, within 8 weeks from the date of receipt of the said application.

In response, learned counsel for the petitioner submits that let this petition be disposed of in terms of the statement made by learned counsel for the respondents.

Ordered accordingly.

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated above, the competent authority shall examine the claim of the petitioner, strictly in accordance with law.

(Arun Palli)
Judge

09.11.2023
Rajan

(Vikram Aggarwal)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES/NO
YES/NO