

Date of decision: 11.05.2023

....Petitioners

...Respondents

Ms. Vasundhra Asija, Advocate for
Mr. P.S. Chauhan, Advocate
for respondents No.3 & 4-HSVP.

The grievance of the petitioners primarily is that being an oustee they are entitled to a plot as per the policy dated 18.03.1992 (Annexure P-2). The aspect with regard to the entitlement stands established in the light of the fact that the suit as has been preferred by the co-sharers of the petitioners have been decreed and the appeal preferred against them dismissed. Assertion has also been made that pursuant to the said decree, the said co-sharers have been allotted the plots. Petitioners have been approaching the respondents but without any result.

Counsel contends that as per the judgment of this Court in LPA No.2096 of 2021 titled as '**HUDA and others Vs. Sandeep and others**' decided on 25.04.2012 (Annexure P-7), an oustee would be entitled for the consideration on an application as and when the advertisement inviting applications for allotment of the plots is issued. Petitioners have served a notice

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through counsel dated 25.03.2023 (Annexure P-8) which till date has not been responded to. He asserts that the petitioners at this stage, would be satisfied if a direction is issued to the Administrator, Haryana Sheheri Vikas Pradhikaran (HSVP), Gurugram and also the Estate Officer-II, Haryana Sheheri Vikas Pradhikaran (HSVP), Gurugram-respondents No.3 & 4, to consider and take a decision on the said legal notice within some specified time.

Notice of motion.

Mr. Deepak Bhardwaj, DAG, Haryana and Ms. Vasundhra Asija, Advocate for Mr. P.S. Chauhan, Advocate, puts in appearance and accept notice on behalf of respondent No.1-State and respondents No.2 to 4-HSVP, respectively.

Keeping in view the prayer as has been made by learned counsel for the petitioners, we dispose of the writ petition by directing the Administrator, Haryana Sheheri Vikas Pradhikaran (HSVP), Gurugram and also the Estate Officer-II, Haryana Sheheri Vikas Pradhikaran (HSVP), Gurugram-respondents No.3 & 4, to consider and decide the legal notice dated 25.03.2023 (Annexure P-8) within a period of six weeks. Decision so taken be conveyed to the petitioners forthwith.

(AUGUSTINE GEORGE MASIH)
JUDGE

(HARPREET SINGH BRAR)
JUDGE

11.05.2023

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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No