

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-13972-2023

Date of decision: 07.11.2023

Vijay Kumar

....Petitioner

Versus

State of Haryana and others

....Respondents

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

**Present: Mr. Bikram Chaudhary, Advocate,
for the petitioner.**

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, praying for the issuance of a
Writ in the nature of Mandamus, directing the
Respondents to allot 1-Kanal (500 Square Yards)
residential plot to the petitioner, under the Oustees quota,
in revenue estate of Hissar or in the alternative sector
comprises in revenue estate Hissar under Oustees Quota,
in accordance with the relevant policies framed by the
respondents as also on the basis of judicial precedents;***

AS ALSO

***For the issuance of a Writ of Certiorari,
quashing the decision/order dated 29.11.2021(P-13) &
7.2.2023(P-15) & 10.5.2022(P-18) passed by the***

respondent No.3 rejecting the claim of the petitioner for the allotment of the plot under oustees quota illegally relying upon the policy decision dated 11.8.2016, which was withdrawn vide policy decision dated 8.5.2018 keeping in view the judgment passed by this Hon'ble Court in LPA No. 2096 of 20111 titled as HUDA v/s Sandeep and others and further in view of the Full bench decision passed in CWP No. 22252 of 2016 titled as Rajiv Manchanda v/s State of Haryana and others and the impugned orders are without jurisdiction as the claim of the petition for oustee plot has been decided by the Zonal Committee and the same may kindly be set aside, in the interest of justice.”

Learned counsel for the petitioner submits that pursuant to the acquisition proceedings initiated by the State, land holding of the petitioner, measuring 47 kanals 14 marlas, was acquired for public purpose. He submits that in terms of the policy dated 11.8.2016 (P-19), issued by the State Government, for settlement of oustees claims, petitioner is entitled to allotment of a plot/site in proportion to his entitlement. However, the limited grievance that the petitioner, at this stage, has is: despite repeated representations (P-9 to P-11, P-14 and P-16), submitted by him, his claim/interest for allotment of a plot/site, in terms of the policy (*ibid*), remains unaddressed.

Served with the advance copy of the petition, Mr. Himmat Singh, Advocate, on behalf of respondents No. 2 to 4-HSVP, is present in Court. He submits, for the authorities are in seisin of the representations submitted by the petitioner, thus, let this petition be disposed of, at this

stage, to enable them, to deal with his claim/concerns. And, necessary orders, in accordance with law, shall be passed, as expeditiously as possible, preferably within three months from today.

Learned counsel for the petitioner is in agreement with the course suggested by the learned counsel for the respondent-HSVP, and submits that let this petition be disposed of, in terms of the statement made by him.

The petition is accordingly disposed of, in view of the statements made by learned counsel for the parties.

This Court is sanguine that the authorities shall look into the matter in the right earnest. And, appropriate orders, in accordance with law, shall be passed within the time indicated by the learned counsel for respondent No.2 to 4.

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

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

07.11.2023
Ak Sharma

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