

2023:PHHC:045828-DB

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
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CWP-15992-2019

Date of decision: March 28, 2023

RAMESH KUMAR AND OTHERS **.....PETITIONERS**
Versus

STATE OF HARYANA AND OTHERS **.....RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE SANJIV BERRY**

Present: Mr. Sanjay Verma, Advocate,
for the petitioners.

Mr. Deepak Sabherwal, Advocate,
for the respondents.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Learned counsel for the petitioners contends that the petitioners fall in the category of oustees as their land stood acquired. He contends that despite there being orders in favour of the petitioners, till date they have not been allotted any plot.

Learned counsel for respondents No. 2 to 4, on the other hand, with reference to the written statement filed on behalf of respondents No.2 to 4, submits that as per the judgment of the Division Bench of this Court in LPA No.2096 of 2011, titled as 'HUDA and others Vs. Sandeep and others', decided on 25.04.2012, an oustee would be entitled to consideration of the application as and when advertisement inviting applications for allotment of the plots is issued. In the year 2018, an advertisement was issued by the respondents for allotment of plots under the oustees category but the petitioners did not apply in pursuance to the said advertisement.

In the light of the above, the present writ petition is disposed of

with liberty to the petitioners to apply under the oustees category in pursuance to an advertisement which may be issued by the respondents. In case the petitioners apply in pursuance to such an advertisement, their claim would be considered in accordance with law.

(AUGUSTINE GEORGE MASIH)
JUDGE

March 28, 2023
PJ

(SANJIV BERRY)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether reportable: *Yes/No*