

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

**CWP No.30627 of 2018 (O&M)
Date of Decision :18.10.2023**

Kuldeep Singh

.....Petitioner

Versus

State of Haryana and others

..... Respondents

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

Present : Mr. Abhimanyu Singh, Advocate for the petitioner.

Mr. Arun Beniwal, Sr. DAG, Haryana.

Mr. Vaneet Soni, Advocate for

Mr. Deepak Sabharwal, Advocate for respondents No.2 to 4.

ARUN PALLI, J. (Oral):

The petitioner herein has prayed for the following substantive
reliefs:-

**“Civil Writ Petition under Article 226/227 of the
Constitution of India praying for issuance of a writ in the
nature of certiorari for quashing of letter bearing Memo
No.A-1-UB-2018/92633-34 dated 08.05.2018 (Annexure P-5)
whereby the one time settlement scheme dated 28.08.2017
(Annexure P-2) has wrongly been withdrawn on the ground of
amendment in the policy dated 11.08.2016 is being illegal,
perverse, cryptic, unreasoned and is only harassing and
humiliating the petitioner just to delay in settling the oustees
claims.**

AND

With a further prayer for issuance of a writ in the

nature of mandamus directing the respondents to consider the claim of the petitioner under the oustee policy dated 11.08.2016 duly applied by the petitioner on 29.09.2017 through application (Annexure P-3 (colly) against the public notice dated 28.08.2017 as the 100% land of the petitioner has been acquired by the respondents authority result of which the petitioner is compelling to reside in the rented accommodation.

AND

With a further prayer for issuance of a writ in the nature of mandamus directing the respondents to refund the amount of Rs.50,000/- deposited by the petitioner along-with application dated 29.07.2015 (P-1) vide receipt No.52924 duly issued by the respondents authority against public notice dated 25.06.2015 along-with interest at the rate of 18% as the respondents/HUDA has illegally withheld the amount without any reasons.”

Learned counsel for the petitioner submits that pursuant to the acquisition proceedings, initiated by the respondents, the entire land holdings of the petitioner was acquired as back as in the year 1985. And, under the oustees scheme then prevailing, he applied for allotment of a site/plot and deposited a sum of Rs.50,000/- on 29.07.2015. Whereafter, pursuant to another policy, circulated in the year 2017, he deposited a further sum of Rs.13,72,800/-. However, his grievance is: that though years have gone by, claim of the petitioner has not been addressed. Thus, it is in this backdrop, he was constrained to approach this Court, vide this petition.

It is not in dispute that no formal orders as regards rejection of the claim of the petitioner or to refund the amount that he had deposited

have so far been passed.

Having argued the matter at some length, learned counsel for the parties have reached a consensus that let this petition be disposed of, at this stage, to enable the authorities to examine the matter/claim of the petitioner and pass appropriate orders in accordance with law, within a specified time.

Accordingly, without delving any further into the merits, the petition is disposed of in terms of the statement made by learned counsel for the parties.

This Court is sanguine that the competent authority would consider the claim of the petitioner in the right earnest and after affording him an opportunity of hearing, pass appropriate orders, assigning reasons in support thereof. The necessary order, as undertaken by learned counsel for respondents No.2 to 4, before this Court, shall be passed, within a period of two months from today.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

18.10.2023
Manoj Bhutani

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