

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

263(2)

CWP No.21582 of 2022
Date of decision: 21.11.2023

Bimla Devi

....Petitioner

V/s

State of Haryana and others

....Respondents

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

Present: Mr. Sandeep Sharma, Advocate, for the petitioner.
Mr. Deepak Bhardwaj, DAG, Haryana.
Mr. Deepak Sabharwal, Advocate,
for respondent Nos.2 to 5.

ARUN PALLI, J. (Oral)

The petitioner herein has prayed for following substantive
relief:-

“Civil Writ petition under Article 226/227 of the
Constitution of India praying for issuance of a writ in
the nature of mandamus of direction to the respondents
to issue the allotment letter of residential Plot of 8
Marla category in Urban Estate Gurugram to the
petitioner in view of the proceeding dated 22.07.2022
(Annexure P-4), at the rate of year 2018 and further
praying for issuance of mandamus to the respondents
not to put the auction of the residential plots, which are
reserved for the oustees as per the letter dated
31.10.2018 (Annexure P-7) in Urban Estate Gurugram
And

Any other relief, which this Hon’ble Court
may deem fit and proper in the facts and circumstances
of the case, may also be awarded.”

Reply by way of affidavit of the Administrator, HSVP, Gurugram on behalf of respondents No.2 to 5 has been filed.

Paragraph 15 thereof reads as thus:-

“15. That in view of the above decision dated 03.02.2023, the petitioner has been held eligible to 8 marla size of plot and information for submitting the required documents has been given to the petitioner vide memo No.591 dated 14.02.2023. Cop of which is annexed as Annexure R-3. Thus the claim of the petitioner for allotment plot has stand decided in her favour. Hence, the present writ petition has become infructuous and deserves dismissal being bereft of merit.

It is, therefore, respectfully prayed that the present writ petition may kindly be dismissed in view of the submissions made above in the interest of justice.”

Accordingly, learned counsel for the respondents submits that, for, the petitioner was found eligible for allotment of 8 *marlas* plot and was also informed as to the requisite documents that were required to be furnished by her, nothing substantive survives in the petition and the same be disposed of as such.

Learned counsel for the petitioner does not dispute the position as sketched out above and also submits that the petition be disposed of in terms of the stand set out by the respondents. However, he submits that the authorities be directed to pass the necessary orders as regards the allotment and the necessary formalities as a consequence of the communication dated 14.02.2023 (Annexure R-3) be carried out within a specified time, to which learned counsel for the respondents submits that all the necessary formalities shall be completed within a week from today. Thereafter, a regular letter of allotment will be issued within a week.

Accordingly, this petition is disposed of in terms of the

statement made by learned counsel for the respondents.

This Court is sanguine that the competent authority shall look into the grievances/concerns of the petitioner in the right earnest and pass appropriate orders. As undertaken by learned counsel for the respondents, the necessary orders shall be passed within a period of one week from today.

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 grievances of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

November 21, 2023

vcgarg

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No