

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 827-2024

Date of decision: 15.01.2024

Reshma Devi

.... Petitioner

Vs.

State of Haryana and others

.... Respondents

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

Present: Ms. Rohit Rana, Advocate,
for the petitioners.
Mr. Deepak Sabherwal, Advocate,
for the respondents-HSVP.

ARUN PALLI, J (Oral)

Late husband of the petitioner (Suraj Bhan) was employed as Peon in the Government Model Sanskriti Senior Secondary School, Taraori, Karnal. In terms of the policy of the State Government, he applied for allotment of residential plot under the Haryana Employees quota. It is not in dispute that he deposited Rs.1,59,900/- on 10.11.2014 along with his application. Unfortunately, Suraj Bhan passed away on 17.09.2015.

Learned counsel for the petitioner, in reference to Annexure P-12 (Page No.33 of paper book), submits that late husband of the petitioner was successful in the draw of lots and site No.704, Sector 1, Urban Estate, Taraori, Karnal, measuring 4 marlas, was proposed to be allotted in his favour. However, he submits that vide impugned communication dated 11.1.2021 (P-9), claim of the petitioner has since been rejected in reference to a decision rendered by the Division Bench of this Court in CWP No. 9185 of 2013 (**Jagbir Singh Dhanda vs. Estate Officer, HUDA and another**), on 27.02.2015. He submits that *ex facie*, the order is perverse and non-speaking as besides a reference to the decision of this Court nothing is recorded as to how the said decision would apply in the facts and circumstances of the present case.

Served with an advance copy of the petition, Mr. Deepak Sabherwal, Advocate, for respondents is present in Court. At the outset, he fairly concedes that the impugned communication dated 11.1.2021, being

bereft of any reasons, be deemed to have been re-called and the competent authority shall now pass fresh orders, within four weeks from today, after affording opportunity of hearing to the petitioner.

Learned counsel for petitioner is agreeable to the course suggested by the learned counsel for respondents and submits that let this petition be disposed of in view of the statement made by him.

In the wake of the position sketched out above, this petition is accordingly disposed of in terms of the statement made by learned counsel for the parties.

This Court is sanguine that the authorities shall consider/examine the matter in issue, and pass appropriate orders, in accordance with law, within the time indicated by learned counsel for the respondents, assigning reasons in support thereof.

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

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

15.01.2024
deepak

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