

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-1002-2024
Date of decision: 18.01.2024

Satish Kumar SharmaPetitioner

Versus

State of Haryana and othersRespondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Ajit Malik, Advocate,
for the petitioner.

ARUN PALLI, J.(Oral)

The petitioner herein has prayed for the following
substantive relief:

“Civil Writ Petition under Article 226/227 of the constitution of India for the issuance of a writ, especially in the nature of certiorari for quashing of the impugned proceedings of Oustees Screening Committee (Annexure P-15) as well as Impugned Letter dated 22.12.2023 (Annexure P-22), vide which the legitimate claim of the petitioner for allotment of residential plot of 1 Kanal under Oustees Quota has been rejected by the respondent No. 3 & 4 by giving false and wrong facts and reasons that too deliberately and intentionally by saying that since the petitioner is not the owner of land, hence, claim of the petitioner for allotment of plot of 1 Kanal under Oustees quota has been rejected, despite of the fact that the sister of the petitioner had applied for allotment of plot in the year 2011 as and when the advertisement was issued by the respondents, being the Legal heirs of deceased land owners namely Vijay Kumar who was the Brother-In-Law of

petitioner and after the death of his sister the petitioner had applied being legal heirs of Smt. Saroj Basisth in view of Registered WILL dated 12.03.2015 and that too with the consent of the other legal heirs of Late of deceased Vijay Kumar.

AND

Further the respondents be directed to include the name of the petitioner in the incoming draw of lots, which is to be held by the respondents in view of Advertisement dated 23.12.2021, against which the petitioner had also applied vide his application dated 07.01.2022 (Annexure P-21).”

Served with the advance copy of the petition, Mr. Ankur Mittal, learned Additional Advocate General, Haryana, for respondent No.1 and Mr. Deepak Sabherwal, Advocate, for respondents No.2 to 4-HSVP, are present in Court.

At the outset, learned counsel for the respondent-HSVP fairly concedes, for the impugned order/letter dated 22.12.2023 (P-22, page 96 of the paper book) is bereft of any reasons, it would be expedient if the petition is disposed of, at this stage, to enable the competent authority to pass orders afresh, assigning reasons in support thereof. Accordingly, he submits that the order/letter dated 22.12.2023 (*ibid*), be deemed to have been withdrawn.

Learned counsel for the petitioner is in agreement with the course suggested by learned counsel for the respondent-HSVP, and submits that let this petition be disposed of, in terms of the statement made by him. However, he submits that as the claim of the petitioner has been pending for a considerable time, the competent authority be directed to finally decide the same, within a specified time.

In response, learned counsel for the respondent-HSVP submits that the matter shall be finally decided within a period of two months from today.

The petition is accordingly disposed of, in terms 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 the appropriate orders shall be passed within the time indicated by the learned counsel for respondents.

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 concerns/grievances of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(HARKESH MANUJA)
JUDGE

January 18, 2024
Ak Sharma

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