



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision: 21.10.2024

1. CWP-2970-2022

Ishwar Singh	Petitioner
Versus	
Haryana Shehri Vikas Pradhikaran and Others	Respondents

2. CWP-26835-2021

Parveen Kumar	Petitioner
Versus	
Haryana Shehri Vikas Pradhikaran and Others	Respondents

3. CWP-5660-2022

Vijay Pal Singh Raghav	Petitioner
Versus	
State of Haryana and Others	Respondents

4. CWP-5986-2022

Narwadi Devi and Others	Petitioners
Versus	
Haryana Shehri Vikas Pradhikaran and Others	Respondents

5. CWP-6033-2022

Balraj Kumar	Petitioner
Versus	
Haryana Shehri Vikas Pradhikaran and Others	Respondents

6. CWP-6692-2022

Satnam Singh	Petitioner
Versus	
Haryana Shehri Vikas Pradhikaran and Others	Respondents

7. CWP-8194-2022

Surjit Kaur	Petitioner
Versus	
State of Haryana and Others	Respondents

8. CWP-14947-2022

Kishore Kumar		Petitioner
	Versus	
State of Haryana and Others		Respondents

9. CWP-14276-2022

Om Parkash		Petitioner
	Versus	
State of Haryana and Others		Respondents

10. CWP-14395-2022

Krishan Lal		Petitioner
	Versus	
State of Haryana and Others		Respondents

11. CWP-14397-2022

Janak Raj		Petitioner
	Versus	
State of Haryana and Others		Respondents

12. CWP-14399-2022

Charanjeet Goomber		Petitioner
	Versus	
State of Haryana and Others		Respondents

13. CWP-319-2023

Yogesh Kumar Sharma		Petitioner
	Versus	
State of Haryana and Others		Respondents

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

Present: Mr. P.R. Yadav, Advocate in CWP-2970-2022;
Mr. Nitish Bhatia, Advocate in CWP-14395, 14397, 14399,
14276 & 14947 of 2022.
Mr. Rajesh Bansal, Advocate and
Mr. Jaswant Singh, Advocate in CWP-6692-2022, 26835-2021
Mr. Ajay Jain, Advocate in CWP-5986, 6033, 8194, 319-2023
Ms. Indu Bala, Advocate for

Mr. Aditya Jain, Advocate in CWP-5660-2022
for the petitioner(s).

Mr. Deepak Sabherwal, Advocate
for the respondents/HSVP in CWP-2970, 5660, 14947, 14276,
14395, 14397 and 14399 of 2022.

Mr. Deepak Sabherwal, Advocate and
Mr. Jatin Kaushal, Advocate for
Mr. Arvind Seth, Advocate for respondents/HSVP in CWP-319-2023,
CWP-6692-2022, CWP-26835-2021.

Mr. Ankur Mittal, Advocate and
Mr. Deepak Sabherwal, Advocate
Ms. Saanvi Singla, Advocate
for respondents/HSVP in CWP-8194-2022.

Mr. Deepak Sabherwal, Advocate and
Mrs. Vasundhra Asija, Advocate
Mr. P.S. Chauhan, Advocate
for respondents/HSVP in CWP-5986-2022 &
CWP-6033 of 2022.

VIKRAM AGGARWAL, J.

1. We intend to dispose of the afore-titled 13 writ petitions by way of a common judgment/order, for the issue involved in all the writ petitions is the same.
2. The land of the petitioner/s was acquired for different public purposes in Rewari, Panipat, Gurugram, Hisar and Panchkula. Being oustees/erstwhile land owners, the petitioner/s seek allotment of a plot/s in terms of their entitlement under the relevant policy issued from time to time. In most of the cases, the petitioner/s had not submitted any application in pursuance of the advertisement issued for allotment of plots to the oustees except in five cases i.e., CWP Nos.14947, 14276, 14395, 14397 and 14399 of 2022 wherein the petitioner/s had applied pursuant to advertisement issued for allotment of plots in Sector-2, Panchkula. Further in some of the cases, certain amount was deposited and was refunded whereas in other cases, the amount deposited was not refunded.

3. For convenience, the details as regards whether the petitioner/s had applied and whether they had deposited some amount and further whether the said amount had been refunded or not is depicted in the following table:-

Sr.No.	CWP No.	District	Whether the petitioner/s had applied pursuant to an advertisement	Earnest money deposited	Status of refund
1.	2970/2022 titled as Ishwar Singh Vs. Haryana Shehri Vikas Pradhikaran and Others	Rewari	No	50000	Not refunded
2	26835/2021 titled as Parveen Kumar Vs. Haryana Shehri Vikas Pradhikaran and Others	Panipat	No	50000	Refunded
3.	5660/22 titled as Vijay Pal Singh Raghav Vs. State of Haryana and others	EO II Gurugram	No	Not deposited	NA
4.	5986/2022 titled as Narwadi Devi and Others Vs. Haryana Shehri Vikas Pradhikaran and Others	Hisar	No	50000	Refunded
5.	6033/2022 titled as Balraj Kumar Vs. Haryana Shehri Vikas Pradhikaran and Others	Hisar	No	Not deposited	NA
6.	6692/2022 titled as Satnam Singh Vs. Haryana Shehri Vikas Pradhikaran and Others	Panipat	No	Not deposited	NA
7.	8194/2022 titled as Hisar as Surjit Kaur Vs. State of Haryana and others	Hisar	No	Not deposited	NA
8.	14947/2022 titled as Kishore Kumar Vs. State of Haryana and others	Panchkula	Yes	50000	Not refunded
9.	14276/2022 titled as Om Parkash Vs. State of Haryana and others	Panchkula	Yes	50000	Not refunded
10.	14395/2022 titled as Krishan Lal Vs.	Panchkula	Yes	50000	Not refunded

	State of Haryana and others				
11.	14397/2022 titled as Janak Raj Vs. State of Haryana and others	Panchkula	Yes	50000	Not refunded
12.	14399/2022 titled as Charanjeet Goomber Vs. State of Haryana and others	Panchkula	Yes	50000	Not refunded
13.	319/2023 titled as Yogesh Kumar Sharma Vs. State of Haryana and others	Hisar	No	50000	Refunded

4. We have heard learned counsel for the parties.
5. It has been submitted by learned counsel representing the petitioner/s that despite the land of the petitioner/s having been acquired long back, they have yet not been allotted any plot under the oustees quota. Certain legal representatives had also been non-suited on the ground that only the original owners were eligible for allotment. It has further been submitted that till date, the exercise for identifying as to how many plots under the oustees quota are still available across the State of Haryana has not been carried out. Learned counsel further submitted that the amount deposited by the petitioner/s has not been refunded. It has further been submitted that no advertisement for allotment of plots in terms of the policies has been issued and that the respondents cannot simply submit that as and when an advertisement is issued, the petitioners would be entitled to apply. Learned counsel have also expressed an apprehension that the plots meant for oustees shall be allotted by way of public auction to the general public and eventually, no plot shall remain for the oustees.
6. Sh. Deepak Sabherwal, learned counsel representing the HSVP, on instructions, submits that no plot earmarked for oustees quota is being or shall be allotted to the general public by way of auction or otherwise. He further submits

that in the very first meeting to be presided over by the Chairman of HSVP, an agenda as regard issuing an advertisement for oustees quota plots shall be included and a decision thereon is likely to be taken. He further submits that the exercise to determine the number of plots available under the oustees quota shall also be carried out forthwith and shall be completed within a period of four weeks. Learned counsel submits that after the exercise is carried out, an advertisement for allotment of oustees quota plots shall be issued in the near future, pursuant to which the petitioners can apply and their claim shall be considered as per the Policy dated 11.08.2016, subsequently amended on 08.05.2018.

7. It has also been submitted that as regards Panchkula, the petitioner/s in CWP-14947, 14276, 14395, 14397 and 14399 of 2022 had applied pursuant to advertisement issued for allotment of plots in Sector-2, Panchkula, whereas their land, which had been acquired, falls in Sector-1, Mata Mansa Devi Complex, Panchkula and that they would have to apply whenever an advertisement is issued in terms of the Policies (ibid) as regards Mansa Devi Complex.

8. As regards the issue of refund, it has been submitted that the bank details shall have to be furnished by the petitioner/s in CWP Nos. 2970, 14947, 14276, 14395, 14397 and 14399 of 2022 and upon receipt of the said details, the refund of the amount deposited along with interest @ 5.5% from the date of deposit till payment shall be made within a period of two weeks.

9. Learned counsel for the petitioners are agreeable to the course suggested by learned counsel for HSVP and fairly submit that the writ petitions be disposed of in terms of the statement given by him in Court today.

10. In view of the aforesaid, all the 13 writ petitions titled above are disposed of in terms of the statements given by learned counsel for the parties binding them to the same.

This Court is sanguine that the authorities concerned shall take up the matter in the right earnest and sticking to the time-lime referred to in the preceding paragraphs on the basis of the statement given by learned counsel for HSVP, shall take effective steps for the redressal of the grievances of the petitioner/s and other similarly situated persons.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

21.10.2024
Rekha

<i>Whether speaking/reasoned :</i>	<i>Yes/No.</i>
<i>Whether reportable :</i>	<i>Yes/No.</i>