



CWP-8451-2024(O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-8451-2024(O&M)
Date of decision: 20.08.2024

Haryana Shahri Vikas Pradhikaran

...Petitioner

Versus

Tripta Sachdev & another

...Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present : Mr. Vivek Saini, Advocate and
Mr. Siddhanth Arora, Advocate
for the petitioner.

Ms. Rashi Sehrawat, Advocate,
for respondent No.1.

Mr. Rajat Khanna, Advocate and
Mr. Vijay Pratap Singh, Advocate and
Mr. Vishal Saini, Advocate,
for applicant/proposed respondent No.3.

VINOD S. BHARDWAJ, J. (Oral)

CM-12962-CWP-2024

Learned counsel for applicant/proposed respondent No.3
submits that he does not want to press the present application.

The application stands disposed of as not pressed with liberty to
take recourse of any alternative remedy, if so advised.

Main case

Challenge in the present petition is to quash the order dated
14.11.2022 (Annexure P-14) passed by National Consumer Disputes Redressal
Commission, New Delhi, whereby the revision petition No.108 of 2022 filed

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by the petitioner was dismissed.

An affidavit of Estate Officer-II, HSVP, Gurugram, in compliance of order dated 29.07.2024 has been filed, wherein it has been averred that vide order dated 29.07.2024, the plot in question has already been allotted to respondent No.1. He contends that no grievance would, thus, survive in the present writ petition and the same is rendered infructuous.

Learned counsel for applicant/proposed respondent No.3, however, submits that there was an order of status quo passed by the National Consumer Disputes Redressal Commission on 04.07.2023 (Annexure A-4 of the affidavit filed by Estate officer-II, HSVP) and he contends that notwithstanding any initial order passed by the Disputes Redressal commission in his favour on 16.10.2021, the petitioner has made allotment of the said plot in favour of respondent No.1. He contends that the petitioner-HSVP has disregarded the order of status quo granted by the National Consumer Disputes Redressal Commission in making allotment in favour of respondent No.1 more so when argument in the said revision petition had already been heard by the National Consumer Disputes Redressal Commission and final order is yet to be passed. The above-said act by the petitioner-HSVP will only aggravate the multiplicity of litigation.

Responding to the above, learned counsel for the petitioner - HSVP contends that applicant/proposed respondent No.3 has no entitlement to the aforesaid plot since he had earlier approached this Court vide CWP-12191-2017 seeking allotment of alternate plot in lieu of plot No.1378, Sector 51, Gurugram, which was disposed of by this Court vide order dated

09.07.2018 directing the petitioner-HSVP to take the considered decision on

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the claim of the petitioner regarding the allotment of the alternative sites. A decision thereafter was taken by the Chief Administrator, HSVP on 21.08.2018 and upon consideration of all the relevant material, the request of applicant/proposed respondent No.3 for an alternative plot was declined. He contends that applicant/proposed respondent No.3 thereafter, deposited the initial price against the plot under the Last and Final Settlement Scheme 2021 by availing a rebate of Rs.6,19,591 under the Scheme of 2021. Hence, applicant/proposed respondent No.3 had by his conduct and necessary implication, accepted the said decision. Notwithstanding the same, the speaking order of 21.08.2018 was challenged by applicant/proposed respondent No.3 by filing CWP-14585-2021, which was dismissed as withdrawn vide order dated 17.11.2021 without availing any liberty. It is thus contended that the order of allotment of plot No.1378, Sector 51, Gurugram in favour of applicant/proposed respondent No.3 has already been taken finality and there is no impediment to the allotment of plot No.3061-P, Sector 46, Gurugram, in favour of the respondent No.1.

Learned counsel for the respondent No.1 also does not dispute the letter of issuance of allotment, but with respect to the remaining issues about the grant of interest, the execution petition is still pending and contends that she would pursue her rights in the pending proceedings.

Taking into consideration the totality of facts noted above, applicant/proposed respondent No.3 is at liberty to take recourse to appropriate steps in accordance with law against the grievance, if any, pertaining to allotment of plot to respondent No.1.



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The petition stands, accordingly, disposed of with the aforesaid liberty.

20.08.2024
monika

(VINOD S. BHARDWAJ)
JUDGE

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