

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-9310-2024

Date of decision: 25.04.2024

Balbir @ Balbir Singh Saini

....Petitioner

Versus

State of Haryana and others

....Respondents

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

Present: Mr. Ram Kumar Saini, Advocate,
for the petitioner.

ARUN PALLI, J. (Oral)

A Mandamus is prayed for, commanding the respondents to allot a plot/site measuring 1 kanal to the petitioner, under the 'Oustee Quota'.

Learned counsel for petitioner submits that pursuant to the notification dated 13.11.2002 (P-1), issued under Section 4 of the Land Acquisition Act, 1894, land holding of the petitioner, measuring 27 kanal, situated in the revenue estate of village Hisar, Tehsil and District Hisar, was acquired by the Government. Therefore, he asserts that in terms of the policy in vogue and per the entitlement of the petitioner, he is required to be allotted a suitable site.

Upon being pointedly asked, as to when, post award No.9, dated 08.11.2005, rendered by the Land Acquisition Collector, the petitioner actually applied for allotment, being an oustee, learned counsel for the petitioner is unable to refer to any such document on record. However, he submits that in this regard, a letter addressed to the Estate Officer, Haryana Urban Development Authority Sector-13, Hisar, has been appended as Annexure P-6, but the same is undated. It is urged that the petitioner had even served the respondent authorities with a legal

notice dated 05.02.2024 (P-8), but to no avail. He asserts that even though a considerable time has elapsed since then, but the matter has not made any tangible progress.

Served with the advance copy of the petition, Mr. Ankur Mittal, learned Additional Advocate General, appearing for the State, as also for the respondent-HSVP, along with Ms. Kushaldeep Kaur, is present in Court.

At the outset, he submits that apparently, the petitioner never applied for any such allotment in the past, except serving the authorities with the legal notice (*ibid*). Be that as it may, he submits that as and when, any fresh advertisement is issued by the authorities, seeking applications to address the claims of the oustees, the petitioner shall be free to respond thereto. And in the event, any such application is moved by the petitioner, the same shall be considered and dealt with, in accordance with law.

Faced with this, learned counsel for the petitioner submits that he be permitted to withdraw the petition, to enable the petitioner to apply for a site/plot, as and when a fresh advertisement is issued.

Ordered accordingly.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

25.04.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No