



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-20967-2024(O&M)
Date of decision: 28.08.2024

M/s Aakarshak Realtors Pvt. Ltd.
... Petitioner
Versus
Housing Board Haryana and another
... Respondents

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

Present: Mr. Rahul Makkar, Advocate,
for the petitioner.
Mr. Deepak Sabherwal, Advocate,
for the respondents.

ARUN PALLI, J. (Oral)

The petitioner (M/s Aakarshak Realtors Pvt. Ltd.) prays for a mandamus, commanding the respondents to invite fresh applications to conduct draw of lots, for allotment of flats, which were earmarked for Economically Weaker Sections (EWS), in the licensed colony (White Lily), situated at Sector 8, Village Kamaspur, District Sonipat (Haryana).

Learned counsel for the petitioner submits that petitioner is a Project Proponent, and strictly, in terms of the prescribed norms, had completed the project. Whereupon, it was issued the Occupation Certificate on March 7, 2019 (P-4). He submits that in total 102 EWS flats were constructed, which were put to draw held by the respondent-authorities on March 6, 2020. Accordingly, 94 applicants were held to be successful. However, the draw held on March 6, 2020 was scrapped/cancelled by the respondent-authorities on May 27, 2020 (P-11), owing to certain discrepancies in the data of the applicants, who had participated in the draw of lots. Further, he submits, the limited grievance that the petitioner has is: even though more than 4 years have gone by, the authorities have failed to conduct the fresh draw. And resultantly, the rights/interest of the petitioner are gravely impaired. He submits that prior



to the institution of this petition, the petitioner had moved various authorities vide several representations qua its concerns/grievances, but to no avail. It is urged that, in the given circumstances, the obligation/liability to upkeep and maintain the flats, and the expenditure in this regard, is being incurred by the petitioner.

Served with the advance copy of the petition, Mr. Deepak Sabherwal, Advocate is present in Court on behalf of the respondents. On instructions from Mr. J. Ganesan (IAS), Chief Administrator, Housing Board, Haryana, he submits that the matter is already under active consideration of the respondent-authorities. Inasmuch as, the Chief Administrator had recommended the matter, including the case of the petitioner, to the Chief Minister, Haryana for necessary approvals/sanctions on August 1, 2024. Accordingly, he submits, the requisite advertisement to hold the fresh draw of lots would be issued within three months from today.

That being so, learned counsel for the petitioner submits that nothing substantive survives in the petition, and the same be disposed of in terms of the statement made by learned counsel for the respondents.

In the wake of the position sketched out above, as also the statements made by learned counsel for the parties, the petition is accordingly disposed of.

(Arun Palli)
Judge

(Vikram Aggarwal)
Judge

28.08.2024
Rajan

Whether speaking / reasoned:	YES/NO
Whether Reportable:	YES/NO