



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 20700 of 2024

Date of decision: 27.08.2024

Shiv Shankar Bhardwaj

.... Petitioner

Vs.

The Haryana Shehri Vikas Pradhikaran and others

.... Respondents

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

Present: Mr. Ashish Jhamb, Advocate  
for the petitioner.

ARUN PALLI, J (Oral)

A Certiorari is prayed for to quash the communication/order dated December 14, 2023 (P-21), issued by the Estate Officer-I, HSVP, Gurugram (respondent No.3), vide which the application moved by the petitioner in response to the advertisement issued by the respondent authorities in 2018, for allotment of plot/site under oustee category, had since been rejected.

Learned counsel for the petitioner submits that land owned by the petitioner, as also the other co-sharer(s), measuring 19 kanals 10 marlas, comprised in specific khasra numbers, situated within the revenue estate of village Silokhra, District Gurugram, was acquired for a public purpose. Therefore, the petitioner applied for allotment of a suitable site/plot in terms of the prevalent policies, as per his entitlement. He submits that a draw of lot was held for the oustees on September 22, 2020, pursuant where to, a site No.831 measuring 8 marlas in Sector 9-A, Gurugram, was earmarked for the petitioner. However, it is submitted that vide impugned communication/order (*ibid*), the claim of the petitioner was declined by the Oustees Zonal Screening Committee, as per the terms and conditions set out in the oustees policies dated August 11, 2016 and May 08, 2018. He asserts that, *ex facie*, the impugned order (*ibid*) is cryptic, non speaking and, thus, is unsustainable. For, neither the petitioner was furnished with the decision of



the Oustees Zonal Screening Committee, nor anything is indicated in the impugned order as to under what terms and conditions of the policy, referred to above, the petitioner was ineligible for allotment.

Served with the advance copy of the petition, Mr. Deepak Sabherwal, Advocate, is present in Court, on behalf of the respondents. Upon being pointedly asked, he fairly concedes that the impugned order is indefensible, for, it is apparently bereft of any reasons. However, he has shared with us a copy of the decision dated June 30, 2022, that was reached by the Oustees Zonal Screening Committee, vide which it was recorded that, in fact, the petitioner was eligible for allotment of 14 marla plot with his co-sharer in Sector 16, whereas, he had applied for 8 marla plot in Sector 15-II, Gurugram. And, since, in terms of Policy of 1987, the oustee could not be allotted plot in any other sector, except the one for which his land holding was utilized, the claim of the petitioner was rejected. A photocopy of the said decision is retained on record as “Mark-X” and a copy thereof has also been furnished to the learned counsel for the petitioner.

In the wake of the above, learned counsel for the petitioner submits that nothing substantive survives in this petition and he be permitted to withdraw the same, to enable the petitioner to assail the order passed by the Oustees Zonal Screening Committee (*ibid*), if so advised, or, avail such other remedies as shall be admissible in law.

Dismissed as withdrawn with liberty prayed for.

(ARUN PALLI)  
JUDGE

(VIKRAM AGGARWAL)  
JUDGE

27.08.2024  
deepak

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