



CWP-21370-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-21370-2024Date of decision: 30.08.2024

Jaikrishan Yadav and others

....Petitioners

Versus

State of Haryana and others

....Respondents

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

Present: Mr. Pankaj Yadav, Advocate,
for the petitioners.

ARUN PALLI, J. (Oral)

The petitioners have prayed for the following substantive relief:

“Petition under Article 226/227 of the Constitution of India praying for issuance of a writ in the nature of mandamus directing Respondents to consider the Petitioner’s deceased father’s rightful claim for the allotment of residential plot under Oustees Quota as per their advertisement of Oustee scheme which was made vide Memo No. Admn/A-1/2018/12249 (Annexure P-5), dated 03.09.2018) because Respondents have now declared them ineligible on 02.08.2024 on wrong and arbitrary grounds that their “Applied for Plot Size Higher than his Entitlement” whereas Respondents had themselves declared Petitioner’s father eligible for the allotment of 10 Marla Plot in Sector-51, Gurugram vide the List issued on 24.09.2020 (Annexure P-8, dated 24.09.2020).

And/Or issue a writ in the nature of mandamus directing Respondents to allot the Oustees Quota Plot on the basis of entitlement/eligibility as per Respondent’s Re-Habilitation Policy and not exclude the



name of Petitioners from the proposed draw of plots under Oustees Quota as advertised under the 2018 Oustees Scheme (Annexure P-5, dated 03.09.2018)”

Learned counsel for the petitioners submits that prior to the institution of this petition, the petitioners had even served the respondent authorities with representations dated 16.08.2024 (P-16) and 20.08.2024 (P-17 and 18), as regards their concerns/grievances. But to no avail.

Served with the advance copy of the petition, Mr. Deepak Sabherwal, Advocate, for the respondent-HSVP, is present in Court. At the outset, he submits that vide an e-mail dated 30.08.2024, he has got instructions that the matter is under active consideration of the competent authority. Thus, he submits that let the petition be disposed of, at this stage, to enable the respondent authorities to deal with the concerns/grievances of the petitioners, as sought to be raised in the petition. And the necessary orders shall be passed on the representations submitted by them (*ibid*), in accordance with law. Further, he submits that before any such orders are passed, the petitioners shall be heard, for which, a formal communication shall be issued to them, well in advance.

Learned counsel for the petitioners is in agreement with the course suggested by learned counsel for the respondent-HSVP and submits that let this petition be disposed of, in terms of the statement made by him. However, it is urged, for a considerable time has already elapsed, the authorities be directed to do the needful, within a specified time.

In response, learned counsel for the respondent-HSVP submits that appropriate orders shall be passed within a period of two weeks from today.

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

This Court is sanguine that the authorities shall look into the matter in the right earnest. And the appropriate orders shall be passed within the time indicated by learned counsel for the respondent-HSVP.



Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated above, the competent authority shall examine the concerns/grievances of the petitioners, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

30.08.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No