



CWP-24922-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-24922-2024Date of decision: 27.09.2024

Smt. Kusum Lata

....Petitioner

Versus

Haryana Shehri Vikas Pradhikaran (earlier known as Haryana Urban
Development Authority) and others

....Respondents

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

Present: Mr. Kapil Gupta, Advocate,
for the petitioner.

ARUN PALLI, J. (Oral)

The petitioner (Smt. Kusum Lata) has prayed for the
following substantive relief:-

***“Civil Writ petition under Articles 226/227 of
the Constitution of India for issuance of a writ in the
nature of Mandamus directing the respondents to issue an
allotment letter in favour of the petitioner after being
declared as successful in the draw of plots held by
respondent no.1 under Oustee quota which was
communicated to the Petitioner vide letter dated 14.06.2017
(Annexure P-3) by the respondents and thereby to
handover the physical and vacant possession of plot
allotted bearing plot no.70-P, Sector 1, Urban Estate
Pehowa, Distt. Kurukshetra, in the interest of justice and
fair play”***

Learned counsel for the petitioner submits that landholding
of the petitioner, measuring 12 marla, comprised in specific khasra
numbers, situated in the revenue estate of Pehowa, District Kurukshetra,



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was acquired for a public purpose, i.e. township planning in City Pehowa. Accordingly, the petitioner, being an oustee, applied for allotment of a suitable site/plot, in terms of the policy in vogue, as also deposited Rs.1,83,000/- as earnest money (P-2). Further, he submits that in the draw of lots held on 06.03.2017 by the authorities, the petitioner was declared successful for allotment of a plot/site No.70-P, measuring 6 marlas, situated in Sector-1, Urban Estate Pehowa. And, vide a communication dated 14.06.2017 (P-3), she was conveyed to comply with certain formalities, to enable the authorities to issue a formal letter of allotment in her favour. In response, it is urged that the petitioner has furnished all the requisite documents and even though, years have rolled by, but she has not been allotted the subject site to date. So much so, even the legal notice dated 19.06.2024 (P-7), the respondent authorities have been served with, in this regard, has failed to evoke any response. Thus, this petition.

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, for the competent authority is alleged to be in seisin of the matter, it would rather be expedient if the petition is disposed of, at this stage, to enable the respondent authorities to deal with the concerns/grievances of the petitioner and pass necessary orders on her legal notice (*ibid*), in accordance with law. Further, he submits that before any such orders are passed, the petitioner shall be heard, for which a formal communication shall also be issued to her, well in advance.

Learned counsel for the petitioner 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 that 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 six weeks from today.



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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 petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

27.09.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No