



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

**CWP No.40317 of 2018 (O&M)
Date of Decision :14.08.2024**

Uma Devi

.....Petitioner

Versus

State of Haryana and others

..... Respondents

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

**Present : Mr. Sachin Mittal, Advocate with
Mr. Gaurav Arora, Advocate and
Mr. Parth Sharma, Advocate for the petitioner.**

Mr. Deepak Bhardwaj, DAG, Haryana.

**Mr. Vaneet Soni, Advocate for
Mr. Deepak Sabherwal, Advocate for HSVP.**

ARUN PALLI, J. (Oral):

Petitioner (Uma Devi) has prayed for the following substantive relief:-

“Civil Writ Petition under Article 226 & 227 of the Constitution of India praying for issuance of writ in the nature of mandamus directing the respondents to allot an alternative plot of equivalent size with compensation for the structures wherever raised as per the order dated 19.02.2014 (Annexure P-5) and to rehabilitate the petitioner as per the order dated 04.09.2015 (Annexure P-7) passed by this Hon’ble Court and not to dispossess the petitioner from the remaining construction including temple till the petitioner is rehabilitated accordingly and compensated;

AND/OR

For issuance of any other appropriate writ order or direction which this Hon’ble Court may deem fit and proper in the facts and circumstances of the present case.”



Learned counsel for the petitioner submits that the petitioner owned a land measuring 150 sy. situated within the revenue estate of village Baselwa, District Faridabad. However, he submits that pursuant to the notification dated 04.07.2011, issued under Section 4 of the Land Acquisition Act 1894 (for short 'the Act'), a land measuring 35.13 acres, including the land owned by the petitioner, was acquired by the State Government for construction of Master Plan Roads from Sector-75 to Sector-89, Faridabad-Ballabhgarh Controlled Area. He submits that the petition at hand is pending since January 2019. And, as per the stand set out in the written statement, filed on behalf of respondents No.1 to 4 (paragraph 22), the claim of the petitioner for allotment of a suitable site/plot under the oustees quota is to be examined by the Haryana Shehri Vikas Pradhikaran (HSVP), being the Competent Authority. It is urged that the petitioner, in the given circumstances, confines his prayer only to the consideration of his claim for allotment of a suitable site being an oustee, as per the prevalent policy.

That being so, Mr. Vaneet Soni, learned counsel for respondent No.6 submits that let the petition be disposed of to enable the respondents-authorities to examine the claim of the petitioner and evaluate his eligibility/entitlement for any such allotment and pass appropriate orders, in accordance with law. He further submits that before any such orders are passed, the petitioner shall also be afforded an opportunity of hearing for which a formal communication shall be issued, well in advance.

Learned counsel for the petitioner is agreeable to the course suggested by learned counsel for respondent No.6 and submits that let this petition be disposed of in terms of the statement made by him. However, it is urged that the competent authority be directed to decide the matter within a



specified time.

To which, learned counsel for respondent No.6 submits that appropriate orders shall be passed within a period of 8 weeks from today.

The petition is, accordingly, disposed of in terms of the statements made by learned counsel for the parties.

This Court is sanguine that the competent authority shall look into the matter in the right earnest. And, appropriate orders, in accordance with law, shall be passed within the time indicated by the learned counsel for respondent No.6.

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 claim/grievance of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

14.08.2024
Manoj Bhutani

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No