



CWP-32050-2024

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-32050-2024Date of decision: 28.11.2024

Jagdish 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 rightful claim for the allotment of residential plots under Oustees Quota as per their advertisement of Oustee scheme which was made vide Memo No. Admn/A-1/2018/12249 (Annexure P-9, dated 03.09.2018) because Respondents after their thorough assessment had themselves declared Petitioner No. 1 eligible for the allotment of 14 Marla Plot in Sector-57 and Petitioner No. 2 and 3 were declared eligible for the allotment of 10 Marla Plot in Sector-57, Gurugram, vide the List issued on 24.09.2020 (Annexure P-13, dated 24.09.2020).

AND/OR issue a writ in the nature of mandamus directing Respondents to maintain equity amongst the fellow Oustees who had made applications pursuant to the advertisement of the Oustee scheme which was made vide Memo No. Admn/A-1/2018/12249 (Annexure P-9,



dated 03.09.2018) and allot them the plot as they have allotted to the petitioners of COCP 296 of 2021 and COCP 261 of 2022 as there is no difference in the credentials of those who have been allotted plot under Oustee Quota and Petitioners.

AND/OR issue a writ in the nature of mandamus directing Respondents to clarify the rates of plot which are proposed to allotted to the Oustees in pursuance to their own policy dated 08.05.2018 (Annexure P-8, dated 08.05.2018) which categorically says that price of the plot which is to be given to allottee should be mentioned in such advertisement and same is missing in advertisement of Oustee scheme which was made vide Memo No. Admn/A-1/2018/12249 (Annexure P- 9, dated 03.09.2018).

AND/OR issue a writ in the nature of mandamus directing Respondents not to hold any draw for Oustees pursuant to the Oustee scheme (Annexure P-9, dated 03.09.2018) till the adjudication of Oustees claim of Petitioner by this Hon'ble Court.”

Learned counsel for the petitioners submits that petitioners are the erstwhile landowners, whose holdings were acquired by the State Government for a public purpose. Accordingly, in terms of the prevalent policy/scheme(s), each of them is entitled to be allotted a suitable site/plot, per their entitlement. It is urged that the petitioners had, indeed, moved applications in this regard years ago, which were even processed, but, the matter has not made any tangible progress to date. 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, on instructions, submits that initially, claim of the petitioners, along with 128 others, was rejected. However, the competent authority, vide a conscious decision dated 25.11.2024, has directed the Zonal Scrutiny Committee to re-consider the claim of the petitioners and alike, for allotment. He, as always, fairly submits that the said exercise is



already underway and would be concluded within four weeks from today. Whereafter, the draw of lots would be held within next two weeks. Further, those who are found eligible, in terms of the scheme, their names would be included in the draw of lots. Needless to assert, he submits, in the event the petitioners are found eligible, they would be allotted a suitable plot/site, per their entitlement.

That being so, learned counsel for the petitioners 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 respondent-HSVP.

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.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

28.11.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No