

**PUNJAB & HARYANA HARYANA HIGH COURT AT  
CHANDIGARH**

**CWP No.13837 of 2012 (O&M)**

**Date of decision:30.11.2012**

M/s Essarvee Pressings Pvt. Ltd.

...Petitioner(s)

**Versus**

State of Haryana and others

...Respondent(s)

**CORAM: HON'BLE MR.JUSTICE JASBIR SINGH  
HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK**

**Present:** Ms.Monica Lamba, Advocate,  
for the petitioner.

Mr.Kshitij Sharma, AAG, Haryana.

Mr.Siddharth Batra, Advocate,  
for HUDA.

**JASBIR SINGH, J. (Oral)**

This writ petition has been filed with a prayer to allot an alternative plot to the petitioner in lieu of plot No.6, Sector-59, Industrial Area, Faridabad.

It is stated by counsel for the petitioner that the said plot was allotted to the petitioner in the year 1995. On account of existing passage through the said plot, construction could not be raised. To say that passage is in existence, reference has been made to the information received under the provisions of Right to Information Act, 2005. It is further stated that in terms of various representations made by the petitioner, case of the petitioner was also considered for allotment of an alternative plot.

Reply filed on behalf of respondent Nos. 2 and 3 in the Court today, is taken on record.

Counsel for HUDA submits that at present no passage, sanctioned or otherwise is in existence in that plot and as such, there is no necessity to consider case of the petitioner for allotment of an alternative plot.

Under the circumstances, we dispose of the present writ petition with a direction to respondent Nos. 2 and 3 to give actual physical possession of the plot in question to the petitioner, after making demarcation at the spot and if any passage exists in the said plot, the same may be dismantled. To the contrary, if there is any legal hitch in doing the same, petitioner be allotted an alternate plot within three months from the date of receipt of copy of this order. It is made clear that allotted plot, should be free from all encumbrances.

**(JASBIR SINGH)**  
**JUDGE**

**30.11.2012**  
mks

**(RAMESHWAR SINGH MALIK)**  
**JUDGE**