

CWP-2629-2021(O&M)
Date of Decision:29.10.2021

Narender Singh

..... **Petitioner**

versus

State of Haryana and others

..... Respondents

**CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA
HON'BLE MR. JUSTICE VINOD S. BHARDWAJ**

Present: Mr. Vikram Singh, Advocate for the petitioner.

Mr.Aman Bahri, Addl.AG, Haryana.

Mr.Rajesh K.Sheoran, Advocate for respondents No. 2 to 4.

TEJINDER SINGH DHINDSA, J. (ORAL)

Challenge in the instant petition is to the order dated 12.11.2020 (Annexure P-9) passed by the 3rd respondent i.e. Estate Officer-II, Haryana Shehri Vikas Pradhikaran, Gurugram whereby claim of the petitioner for allotment of a plot under the oustee category has been rejected on the ground that the land acquired of the petitioner was only to the extent of 38%.

Entire case projected on behalf of the petitioner is that such finding is perverse and and in fact the entire land holding had been acquired.

Since an advance copy of the writ petition had already been served upon the respondents-Pradhikaran, an affidavit of the third respondent has been placed on record.

Paras 7 and 8 of the affidavit read in the following terms:-

“7. That now it has been decided by Chief Administrator, HSVP, Panchkula that all the cases of Oustee claims against advertisement dated 1.11.2018 of HSVP in entire Haryana

State be returned for re-examination and scrutiny be done of individual applicant's applications, vide HQ letter dated 16.08.2021. Copy of the letter dated 16.08.2021 is annexed herewith as Annexure R-3.

8. That in compliance of above instructions dated 16.08.2021, competent authority will, re-examine and scrutinize all applications including application of petitioner received qua advertisement of the year 2018 as per the latest proforma.”

Mr.Rajesh K.Sheoran, learned counsel representing the Pradhikaran states that in the light of such decision taken for reconsideration/re-examination the impugned order would cease to exist.

It would be open for the petitioner to apply afresh on the web portal of the Pradhikaran and which will be open positively within a period of 15 days. Mr.Sheoran further states that in the eventuality of the petitioner applying afresh, a final decision as per law and under the relevant Oustee Policy would be taken within a period of three months thereafter by passing a reasoned order.

Statement is accepted.

No further directions are required to be passed.

Disposed of.

[TEJINDER SINGH DHINDSA]
JUDGE

(VINOD S. BHARDWAJ)
JUDGE

29.10. 2021
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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No