



Sir,

In continuation of this Court's order dated 24/5/13 I am directed to forward herewith a copy of Order dated 08.08.2013 passed by this Hon'ble High Court in the above noted Civil Writ Petitions, for immediate strict compliance alongwith copy of

Given under my hand and the seal of this Court on this 27<sup>th</sup> day of August 2013.

BY ORDER OF HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

*NP*  
29/8/13  
Superintendent (Writ)

For Assistant Registrar (Writ)



*1-1-2013*  
*Lawyer*  
*3*

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT**

**CHANDIGARH**

CIVIL WRIT PETITION NO. 21759 OF 2013

**MEMO OF PARTIES**

Mahender Pal Jain S/o Rai Chand Jain R/o House No. 721, Urban Estate-2, Hisar,  
Haryana-125005.

.... Petitioner

Versus

1. State of Haryana through Financial Commissioner & Principal Secretary,  
Department of Town and Country Planning, Civil Secretariat, Haryana,  
Chandigarh.
2. Haryana Urban Development Authority through its Chief Administrator,  
Sector 6, Panchkula.
3. Administrator, HUDA, Sector 14, Gurgaon.
4. Estate Officer-II, HUDA, Sector 56, Gurgaon.
5. Sh. S. S. Dhillon, Financial Commissioner & Principal Secretary,  
Department of Town and Country Planning, Civil Secretariat, Haryana,  
Chandigarh.
6. Sh. D. P. S. Nagal, Chief Administrator, Haryana Urban Development  
Authority, Sector 6, Panchkula.
7. Sh. Manoj Khatri, Estate Officer-II, HUDA, Sector-56, Gurgaon.

... Respondents

*Dr. Surya Parkash*  
*Advocate*

Chandigarh,  
Dated: 06.02.2013  
(Dr. Surya Parkash) (Ashutosh Vig)  
P-1008/1998 P-2452/2008  
Advocates  
Counsel for the petitioner

2 - 10/11/13

4

117

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

CIVIL WRIT PETITION NO. 21759 OF 2013

Mahender Pal Jain

.... Petitioner

Versus

State of Haryana and others

... Respondents

**Civil Writ Petition** under Article 226/227 of the Constitution of India for issuance of writ of certiorari quashing the decision dated 23.01.2013 (Annexure P-10), being discriminatory, arbitrary, mala fide and in violation of Article 14 and 16 of the Constitution of India or in alternative directing the respondents to give possession of the originally allotted Plot to the petitioner prior to the proposed draw of lots or to include the plot of the petitioner in the draw of lots for an alternative residential plot of the same size i.e. 6 marla in lieu of her originally allotted plot No.987, Sector 57, Gurgaon, of 6 Marla size, and hand over the possession of the same, as about 8 years have passed, since the allotment.

Further for directing the respondent No.1 for getting the selective inclusion of the plots in draw of lots, investigated from an independent agency/ Central Bureau of Investigation, as the respondents No.5 to 7 are indulging in systematic corruption in the matter of allotment/re-allotment of alternative plots etc.

118

3 given

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

(1) C.W.P. No.2759 of 2013

DATE OF DECISION: AUGUST 08, 2013

Mahender Pal Jain

...Petitioner

Versus

State of Haryana and others

....Respondents

(2) C.W.P. No.22922 of 2011 (O&M)

Prakash Chandra

...Petitioner

Versus

State of Haryana and others

....Respondents

(3) C.W.P. No.14431 of 2012

Saran Kumar Gandhi

...Petitioner

Versus

HUDA, Panchkula and others

....Respondents

(4) C.W.P. No.17415 of 2012

Jagdish Singh Yadav

...Petitioner

Versus

State of Haryana and others

....Respondents

(5) C.W.P. No.25187 of 2012

Arun Kumar Bhalla

...Petitioner

Versus

PUNJAB AND HARYANA HIGH COURT

PUNJAB AND HARYANA HIGH COURT

C.W.P. No.2759 of 2013 etc.

-2-

4 - cover

119

State of Haryana and others

....Respondents

(6) C.W.P. No.2760 of 2013

Avinash Suri

...Petitioner

Versus

State of Haryana and others

....Respondents

(7) C.W.P. No.4656 of 2013

Bhagwati Prasad

...Petitioner

Versus

State of Haryana and others

....Respondents

(8) C.W.P. No.7199 of 2013

Vijay and others

...Petitioners

Versus

HUDA, Panchkula and another

....Respondents

(9) C.W.P. No.8583 of 2013

Suvarna Mercantile Pvt. Ltd.

...Petitioner

Versus

State of Haryana and others

....Respondents

(10) C.W.P. No.8584 of 2013

Roukela Steel Pvt. Ltd.

...Petitioner

Versus

# PUNJAB AND HARYANA HIGH COURT

C.W.P. No.2759 of 2013 etc.

-3-

State of Haryana and others

....Respondents

(11)

C.W.P. No.8585 of 2013

Aircon Systems (I) Pvt. Ltd.

...Petitioner

Versus

State of Haryana and others

....Respondents

(12)

C.W.P. No.10336 of 2013

Anita Dewan

...Petitioner

Versus

HUDA, Panchkula and another

....Respondents

(13)

C.W.P. No.12062 of 2013

Narendra Kumar Ganeriwai

...Petitioner

Versus

HUDA, Panchkula and another

....Respondents

**CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL  
HON'BLE MR.JUSTICE AMOL RATTAN SINGH**

Present:

Dr. Surya Parkash, Advocate.

Mr. A.P. Bhandari, Advocate.

Mr. Amit Jhanji, Advocate.

Mr. Anirudh Kush, Advocate.

Mr. B.S. Sudan, Advocate.

Mr. Rajbir Sehrawat, Advocate.

Mr. Hemant Bassi, Advocate.

Mr. Siddharth Batra, Advocate.

Mr. Raman Gaur, Advocate.

Mr. Rahul Garg, Advocate.

..

**SATISH KUMAR MITTAL, J. (Oral)**

190

*6-12-13*  
C.W.P. No.2759 of 2013 etc.

-4-

This order shall dispose of Civil Writ Petition Nos.2759 of 2013, 22922 of 2011, 14431 of 2012, 17415 of 2012, 25187 of 2012, 2760 of 2013, 4656 of 2013, 7199 of 2013, 8583 of 2013, 8584 of 2013, 8585 of 2013, 10336 of 2013 and 12062 of 2013. In all these cases the plots were allotted to the petitioners in Urban Estate, Gurgaon. The grouse of the petitioners in all these cases is that the possession of the allotted plots could not be given to them due to some dispute on the plots or for some other reason. A prayer has also been made that the alternative plots of the same size be allotted to them in the same Sector or in the nearby Sector as per HUDA policy.

Large number of cases for the same relief have been filed in this Court as in Gurgaon in many cases the possession of the original allotted plots could not be delivered to the allottees due to some dispute on those plots.

When CWP No.2759 of 2013 came up for motion hearing, the following order was passed by this Court on February 08, 2013:-

“Time and again, various writ petitions are being filed in this court by the plot holders, to whom possession of the allotted plots could not be delivered for various reasons, including that the allotted plot was under dispute; or had been illegally encroached upon by the land owners and other persons; or after the acquisition, the land was released to the land owners. In many cases, this court issued directions to the HUDA authorities to consider the claims of those persons for allotment of alternative plots. Some times, those directions were complied with and in some cases, the allottee had to file the contempt petition; whereas some of the allottees were still running from pillar to post, and

C.W.P. No.2759 of 2013 etc.

-5-

approached the HUDA authorities, but without any result. This problem is acute in Gurgaon, where possession of plots to thousands of allottees could not be delivered, in spite of plots having been allotted to them 10 years back.

The present case is an example, where the petitioner had earlier approached this Court and got the direction that his claim for alternative allotment be considered, as possession of the plot could not be delivered to him on the plea that plot was disputed one. In spite of that, name of the petitioner has not been included in the list of such allottees, supplied by the Chief Administrator, HUDA, Panchkula, to the Estate Officer-II, HUDA, Gurgaon, for draw of lots, which is going to be held on February 13, 2013.

Learned counsel for the petitioner has pointed out that there are several persons, who are also eligible to be considered for allotment of alternative plots, but their names have not been included. It is the contention of the petitioner that the HUDA authorities/officials are acting discriminately in this regard for various reasons, and are arbitrarily excluding or including the names of the eligible persons for allotment of alternative plots. Learned counsel is praying for deep probe in the entire issue.

Notice of motion.

On our asking, Shri Siddharth Batra, Advocate, who is present in the court, accepts notice on behalf of respondents No.2, 3, 4, 6 and 7, and Shri Paramjeet Batta, Additional Advocate General, Haryana, who is also present in the court, accepts notice on behalf of respondents No. 1 and 5.

After hearing learned counsel for the parties, learned counsel for respondents No. 2, 3, 4, 6 and 7 is

*Lawyer*

122

C.W.P. No.2759 of 2013 etc.

-6-

directed to supply the following information to this court on affidavit of the Chief Administrator, HUDA, Panchkula, within a period of one month :

- (i) The total number of vacant plots of all the sizes in all Sectors in Gurgaon, which are available for allotment. This information be supplied Sector-wise, plot number and size-wise.
- (ii) The total number of allottees in Gurgaon, to whom possession of the allotted plot could not be delivered for any reason, whatsoever. This information be also supplied plot-wise and sector-wise, mentioning the names of the allottees.
- (iii) Till date, how many plots in Gurgaon have been allotted as alternative allotment. This information be also supplied plot-wise and sector-wise by mentioning the names of the allottees, and giving reasons why alternate allotment had to be made.

Adjourned to March 12, 2013.

In the meanwhile, no draw of lots for alternative allotment in Gurgaon be held till further orders.”

With the passage of time, the other connected cases were also listed along with this case which are now being disposed of today by this common judgment.

In pursuance of the aforesaid order, a detailed affidavit dated 08.03.2013 was filed in this Court by the Chief Administrator, HUDA, Panchkula on April 23, 2013. In the said affidavit, it has been stated that the required information has been collected from the Estate Officer-I & II, HUDA, Gurgaon on affidavits and as per the reports received, the total number of vacant plots of all the sizes in all Sectors (Estate Office wise) in Gurgaon, which are available for allotment, has been given as under:;

C.W.P. No.2759 of 2013 etc.

-7-

-9- Given

124

Category	Estate Officer-I	Estate Officer-II	Total
1.5 Kanal	19	0	19
1 Kanal	171	63	234
14 Marla	151	177	328
10 Marla	137	221	358
8 Marla	126	107	233
6 Marla	155	112	267
4 Marla	57	103	160
3 Marla	15	0	15
2 Marla	164	0	164
<b>Grand Total</b>			<b>1778</b>

The total number of allottees in Gurgaon, to whom possession of the allotted plot could not be delivered for any reason, whatsoever, has been given as under:-

Category	Estate Officer-I	Estate Officer-II	Total
1.5 Kanal	0	5	5
1 Kanal	0	131	131
14 Marla	1	203	204
10 Marla	2	435	437
8 Marla	4	246	250
6 Marla	5	243	248
4 Marla	2	266	268
2 Marla	1	21	22
<b>Grand Total</b>			<b>1565</b>

The total number of plots in Gurgaon where the alternative allotment has been made, has been given as under:-

Estate Officer-I	Estate Officer-II	Total
1912	1466	3378

On that date, learned counsel for the petitioner stated that the information supplied by the Chief Administrator, HUDA, Panchkula on affidavit was not complete in all respects and on the next date of hearing, i.e., 20.05.2013,

C.W.P. No.2759 of 2013 etc.

-8-

learned counsel for the petitioner supplied other information with regard to availability of more plots by way of affidavit. Thereafter, on 24.05.2013 the following order was passed by this Court:-

“We have heard learned counsel for the parties and gone through the affidavit dated 8.3.2013 filed by the Chief Administrator, HUDA in response to our order dated 8.2.2013. We have also gone through the affidavit dated 20.5.2013 filed by the petitioner as well as the affidavit dated 24.5.2013 filed by the Estate Officer, HUDA today in the Court along with Annexure-A1.

During the course of hearing it transpires that the affidavit dated 8.3.2013 filed by the Chief Administrator, HUDA contains incorrect information. It appears that in the said affidavit certain information with regard to the plot allotted alternatively to certain persons as well as with regard to availability of certain plots has not been given. The regard to affidavit dated 24.5.2013 filed by the Estate Officer, HUDA-affidavit dated 24.5.2013 filed by the Estate Officer, HUDA-II, Gurgaon, which has been filed to explain the affidavit filed by the petitioner also does not contain the correct information.

Some of the counsel in connected cases which have been listed alongwith this case, have pointed out that name of some of the petitioners does not find mentioned in the list of disputed plot though their plots are in dispute and they have not been given the possession of the allotted plots. The Estate Officer, HUDA, states that he will again re-look the entire list and try to find out any left over name.

In the meanwhile, we further direct the Estate Officer, HUDA-I and II, Gurgaon, and the Administrator, to give an advertisement in the newspaper mentioning the disputed plot numbers to whom the alternative plots is to be made, and with a clear observation to all the allottees to raise objection, if their name is not find mentioned in the list so

10  
Gover

125

C.W.P. No.2759 of 2013 etc.

-9-

that their claim be also considered.

The Estate Officer is present in Court. He assures the Court that he will file additional affidavit giving all the information correctly after due verification and without any concealment of any fact within a period of one month from today.

This case be treated as part heard.

The instant case along with the other 15 connected cases will be heard on 26.7.2013.”

In pursuance of the aforesaid order, the Estate Officer, HUDA-II, Gurgaon filed his affidavit dated 25.07.2013 in which it has been stated that as per the order dated 24.5.2013 passed by this Court, the Estate Office advertised the list of all the disputed plots falling in his jurisdiction in two national daily newspapers and thereafter he received nine objections and those objections were duly taken care of and the claim of those objectors with regard to alternative plot was also included in the list. As far as the plot of the petitioner in CWP No.2759 of 2013 is concerned, it has been stated that Plot No.987 in Sector 57, Gurgaon originally allotted to the petitioner is clear at site. It has been further stated that the possession of the aforesaid plot will be handed over to the petitioner in that case. It has been also stated that some more plots were also found to be clear and for those plots it has been stated that the possession of the original allotted plots will be handed over to the allottees immediately without any delay.

Now after hearing the objections, 6 more plots have been included in the list of disputed plots. The Estate Officer, HUDA, Gurgaon, who is present in the Court, states that in some category the number of available plots is less but he has given an undertaking that after carving out the new plots the number of plots in the said category will be made

# PUNJAB AND HARYANA HIGH COURT

-12 - Raver

127

C.W.P. No.2759 of 2013 etc.

-10-

available as equivalent to the disputed plots in the said category. The Estate Officer also states that if the alternative plot is allotted in a different Sector, then the price of the original allotted plot will be charged from the said allottee. But in case of enhancement of the price due to enhancement in acquisition cost, the said enhancement will be charged at the rate of the Sector where the alternative plot has been allotted. The said statement has been made on the instructions of Chief Administrator, HUDA, Panchkula, as conveyed by Shri S.C. Kansal, Chief Controller of Finance, HUDA, Panchkula, who is present in the Court. It has also been stated that the necessary modification in the Policy in this regard will be made by the HUDA.

In our opinion, the aforesaid stand taken by the respondents with regard to charging the enhanced price of the Sector where the alternative allotment is to be made is fair and reasonable and the same is acceptable to all the petitioners.

It has been further agreed that firstly the draw of lots for allotment of the alternative plots will be held for the same Sector, and if in the said draw all the original allottees are not adjusted, then for the remaining allottees, a draw of lots for those allottees will be held for adjusting them in the adjoining Sector, and if in the said draw all the allottees are not adjusted in the adjoining Sector, then a draw of lots will be held for allotment of the alternative plots in any other Sector where the plots are available.

It has been further agreed that if there is any specific direction given by this Court or any other competent court of jurisdiction with regard to a particular plot the same be taken care of while making the alternative



129  
-1- *lower*

✓

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA

AT CHANDIGARH

Civil Misc. No. 12341 of 2012  
In  
Civil Writ Petition No. 22922 of 2011

Prakash Chandra, .....Petitioner

Versus

State of Haryana and others .....Respondents

**APPLICATION under Section 151 C.P.C. for exemption from filing certified copy of Annexures A-1 to A-3**

Respectfully Showeth:

1. That applicant-petitioner is filing the accompanied application, which is likely to succeed as per grounds taken therein.
2. That the applicant-petitioner is filing Annexures A-1 to A-3, along with the accompanied application, which are necessary for the prompt and just decision of the petition. The certified copies of same are not readily available with the petitioner. However, true copies of the same are being filed herewith for kind perusal of this Hon'ble Court.

It is, therefore, respectfully prayed that filing of certified copies of Annexure A-1 to A-3 may kindly be exempted in the interest of justice and equity.

Place: Chandigarh  
Application-Petitioner

Dated: 27-8-2012

Through counsel  
*Hemant Bassi*  
(Hemant Bassi) & (Puneet Bassi)  
Advocates

*P. Chandra*

170  
Dawn  
4

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA  
AT CHANDIGARH

Civil Misc. No. 12342 of 2012  
In  
Civil Writ Petition No. 22922 of 2011

Prakash Chandra,

.....Petitioner

Versus

State of Haryana and others

.....Respondents

Application under Section 151 CPC praying  
for recalling of order, dated 20.07.2012 and  
for adjudication of the Writ Petition on  
merits

**Respectfully Showeth:**

1. That the above mentioned Writ Petition was instituted in this  
Hon'ble Court with the following prayer:-

- "(i) Issue any appropriate writ, order or direction especially a writ in the nature of mandamus directing the respondents to restore/ re-allot plot No. 119-P, Sector 31, 32-A Gurgaon in the name of the petitioner;
- (ii) Issue any appropriate writ, order or direction especially a writ in the nature of mandamus directing the Respondents to hand-over the physical possession of plot No. 119-P, Sector 31, 32-A Gurgaon in terms of the Allotment Letter dated 18.04.1994;

151  
3 - 10000 /

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA  
AT CHANDIGARH

Civil Misc. No. 17428 of 2012  
In  
Civil Misc. No. 12341 of 2012  
In  
Civil Writ Petition No. 22922 of 2011

Prakash Chandra,

.....Petitioner

Versus

State of Haryana and others

.....Respondents

**APPLICATION under Section 151 C.P.C. for  
exemption from filing certified copies of  
Annexures A-4 to A-6 (Colly.)**

Respectfully Showeth:

1. That applicant-petitioner is filing the accompanied application, which is likely to succeed as per grounds taken therein.
2. That the applicant-petitioner is filing Annexures A-4 to A-6 (Colly.), along with the accompanied application, which are necessary for the prompt and just decision of the petition. The certified copies of same are not readily available with the petitioner. However, true copies of the same are being filed herewith for kind perusal of this Hon'ble Court.

It is, therefore, respectfully prayed that filing of certified copies of Annexure A-4 to A-6 (Colly.) may kindly be exempted in the interest of justice and equity.

Place: Chandigarh

Application-Petitioner

Dated: 24-11-2012

Through counsel

  
  
(Hemant Bassi) & (Puneet Bassi)  
Advocates

4 - power

4

139

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA  
AT CHANDIGARH

Civil Misc. No. 17429 of 2012  
In  
Civil Misc. No. 12341 of 2012  
In  
Civil Writ Petition No. 22922 of 2011

Prakash Chandra,

.....Petitioner

Versus

State of Haryana and others

.....Respondents

**Application under Section 151 CPC praying  
for placing on record Annexure A-4 to A-6  
(Colly.)**

**Respectfully Showeth:**

1. That the above mentioned application is pending in this Hon'ble Court and is now pending for 31.01.2013.
2. That the applicant had already highlighted in the application for recalling that the applicant had learnt that the area, where it has proposed to allot an alternate plot to the applicant, is totally undeveloped and under various litigations and that the information sought under RTI Act is awaited.
3. That during the pendency of the matter, though in response to the application submitted by the application under the RTI Act, it has been stated that the said information has been forwarded to the other department, however, in response to the application sent under RTI Act by Sh. Binay Kumar, Advocate representing the applicant, information has been supplied that the area is yet to be

# PUNJAB AND HARYANA HIGH COURT

C.M. Nos.12341-42 of 2012 and  
C.M. Nos.17428-29 of 2012 in  
C.W.P. No.22922 of 2011

Prakash Chandra Vs. State of Haryana and others

Present: Mr. Hemant Bassi, Advocate,  
for the applicant-petitioner.

Mr. Raman Gaur, Advocate,  
for respondents No.2 and 3.

C.M. No.12341 of 2012

Application is allowed.

Exemption from filing certified copies of Annexures A-1 to

A-3 is granted.

C.M. No.12342 of 2012

This is an application for re-calling the order dated 20.07.2012,  
whereby the main writ petition was disposed of with a direction to the  
respondents to allot an alternative one kanal plot in Sector 51, Gurgaon, as  
per the communication dated 23.5.2012.

For the reasons stated in the application, duly supported by an  
affidavit, which have not been controverted by the counsel for the  
respondents, the application is allowed and the order dated 20.07.2012 is  
hereby recalled.

C.M. No.17428 of 2012

Application is allowed.

Exemption from filing certified copies of Annexures A-4 to

A-6 is granted.

C.M. No.17429 of 2012

Application is allowed.

The documents (Annexures A-4 to A-6) are taken on record.



(SATISH KUMAR MITTAL)  
JUDGE

SD/

August 08, 2013

vkg

(ANMOL RATTAN SINGH)  
JUDGE

141

28/9/13

5 - Gaur

133

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA

AT CHANDIGARH

Civil Writ Petition No. 229922 of 2011

Prakash Chandra, son of Late Sh. Ram Lakhn Singh Yadav, R/o 105,  
Panchmarhi Apartment, Kaushabmi, Ghaziabad-201 010 (U.P.).

.....Petitioner

Versus

1. State of Haryana through Secretary, Department of Urban Estates,  
Haryana, Haryana Civil Secretariat, Chandigarh.
2. Haryana Urban Development Authority, Sector-6, Panchkula,  
through its Chief Administrator.
3. Estate Officer, Haryana Urban Development Authority, Gurgaon.

..... Respondents

CIVIL WRIT PETITION UNDER ARTICLES  
226/227 OF THE CONSTITUTION OF INDIA  
FOR THE ISSUANCE OF ANY  
APPROPRIATE WRIT, ORDER OR  
DIRECTION ESPECIALLY A WRIT IN THE  
NATURE OF MANDAMUS DIRECTING THE  
RESPONDENTS TO HAND-OVER THE  
PHYSICAL POSSESSION OF PLOT NO. 119-

2 - *gover* 9 135

P, SECTOR 31, 32-A GURGAON IN TERMS OF THE ALLOTMENT LETTER DATED 18.04.1994, FURTHER FOR THE ISSUANCE OF ANY APPROPRIATE WRIT, ORDER OR DIRECTION ESPECIALLY A WRIT IN THE NATURE OF MANDAMUS DIRECTING THE RESPONDENTS TO RESTORE REALLOT PLOT NO. 119-P, SECTOR 31, 32-A GURGAON IN THE NAME OF THE PETITIONER, FURTHER ISSUE ANY APPROPRIATE WRIT, ORDER OR DIRECTION ESPECIALLY A WRIT IN THE NATURE OF MANDAMUS DIRECTING THE RESPONDENTS TO CANCEL THE ALLOTMENT OF PLOT NO. 119-P, SECTOR 31, 32-A GURGAON MADE IN FAVOUR OF ANY OTHER PERSON AS THE SAID ALLOTMENT IS TOTALLY ILLEGAL AND AGAINST THE PRINCIPLES OF NATURAL JUSTICE, AND FURTHER FOR THE ISSUANCE OF ANY APPROPRIATE WRIT, ORDER OR DIRECTION ESPECIALLY A WRIT IN THE NATURE OF CERTIORARI QUASHING THE ORDER DATED 07.03.2011

(ANNEXURE P.24) PASSED BY THE CHIEF ADMINISTRATOR HUDA.

2 - Pawan

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

C.W.P. No.22922 of 2011

Date of Decision: August 08, 2013

Prakash Chandra

....Petitioner

Versus

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL  
HON'BLE MR.JUSTICE AMOL RATTAN SINGH**

**Present:** Mr. Hemant Bassi, Advocate,  
for the petitioner.

Mr. Raman Gaur, Advocate,  
for respondents No.2 and 3.

...

For orders, see C.W.P. No.2759 of 2013.

Sd/-

( SATISH KUMAR MITTAL )  
JUDGE

Sd/-

( AMOL RATTAN SINGH )  
JUDGE

August 08, 2013  
vkg

1

**PUNJAB AND HARYANA HIGH COURT**

*Common DPA  
addl No 2759/13*

*28/8/13*

*Common  
28/9/2013*

*SP  
28/8/13*



IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

C.W.P. No. 1443 of 2012

Saran Kumar Gandhi s/o F.C. Gandhi,  
r/o House No. 1048, Sector 14,  
Faridabad, Haryana.

... Petitioner

Versus

1. Haryana Urban Development Authority  
Panchkula, Haryana,  
Through its Chief Administrator

2. Administrator  
Haryana Urban Development Authority,  
Gurgaon, Haryana.

3. Estate Officer-II  
Haryana Urban Development Authority,  
Gurgaon, Haryana.

.... Respondents

Civil Writ Petition under Article 226 and 227 of the  
Constitution of India for issuance of a writ in the  
nature of Mandamus directing the respondents to  
deliver the possession of Plot No. 2159, Sector 57,  
UE, Gurgaon which was allotted to the petitioner vide  
allotment letter dated 1.2.2005 (Annexure P-1), as the  
respondents have illegally delayed the delivery of  
possession of plot inspite of payment of entire sale  
consideration of the said plot;

2  
20/11/2018  
5  
128

And the petitioner is also entitled to receive interest from the respondents @ 24% till the actual delivery of the possession of the plot;

OR

Any other order, writ or direction as may be deemed fit in the facts and circumstances of the case.

Respectfully sheweth :-

1. That the petitioner is resident of Faridabad and is citizen of India, hence is competent to invoke the extraordinary writ jurisdiction of this Hon'ble High Court under Article 226 and 227 of the Constitution of India.
2. That the respondents are statutory authorities and are amenable to writ jurisdiction of this Hon'ble High Court.
3. That the petitioner was allotted a residential plot No. 2159, measuring 289.3 sq. meters in Urban Estate, Sector 57, Gurgaon vide allotment letter NO. 504 dated 1.2.2005 for a total price of Rs.12,15,060/- and a copy of the allotment letter issued to the petitioner is annexed as Annexure P-1 for the kind perusal of this Hon'ble High Court. That the petitioner as well as the respondents, both are governed by the terms and conditions enumerated in the

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

C.W.P. No.14431 of 2012

Date of Decision: August 08, 2013

Saran Kumar Gandhi

....Petitioner

Versus

HUDA and others

....Respondents

**CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL  
HON'BLE MR.JUSTICE AMOL RATTAN SINGH**

Present: Mr. A.P. Bhandari, Advocate,  
for the petitioner.

Mr. Siddharth Batra, Advocate,  
for the respondents.

For orders, see C.W.P. No.2759 of 2013.

Sd/-  
(SATISH KUMAR MITTAL)  
JUDGE  
Sd/-  
(AMOL RATTAN SINGH)  
JUDGE

August 08, 2013  
vkg

✓

✓

Common DPA  
added Dec 2013

P  
28/8/13

Case  
28/9/2013



Sd/-  
28/8/13

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND  
HARYANA AT CHANDIGARH

CIVIL WRIT PETITION NO. 17415 of 2012

Jatishr Singh Yadav son of Jawahar Singh, resident of House No.792,  
Sector 14, Gurgaon (Haryana) . ....Petitioner

Versus

1. State of Haryana through Secretary, Urban Development,  
Haryana Civil Secretariat, Chandigarh.
2. Haryana Urban Development Authority through Chief  
Administrator, HUDA Office, Sector-6, Panchkula.
3. Haryana Urban Development Authority, Sector 14,  
Gurgaon through its Administrator.
4. Haryana Urban Development Authority, Sector-56, Gurgaon  
through its Estate Officer-II.

...Respondents.

CIVIL WRIT PETITION under Article 226/227 of the

Constitution of India

- for issuance of appropriate writ order or direction,
- more particularly in the nature of mandamus thereby  
directing the respondent to allot alternative plot to the  
petitioner in lieu of plot measuring 220 sq.yards  
bearing No.3090, Sector 57, Gurgaon.

in the alternative any other relief to which the petitioner is found entitled to under equity and law may be granted to the petitioner.

**RESPECTFULLY SHOWETH:**

1. That the petitioner is resident of House No. 792, Sector 14, Gurgaon Haryana and being citizen of India is competent to invoke the extraordinary writ jurisdiction of this Hon'ble Court under Article 226/227 of the Constitution of India.
2. That the petitioner applied for allotment of one residential plot and the application of the petitioner was considered and vide memo No.2317 dated 17.03.2005, the petitioner was allotted plot measuring 22x10 meter (220 sq.mtr.) bearing plot No.3090, Sector 57, Gurgaon.
3. That the petitioner has made the complete payment of the said plot and that the possession of the plot was not delivered as the plot has been reported to be under dispute and the respondents showed their inability to handover the possession of the plot.
4. That 70 plots measuring 10 Marla in Sector 57, Gurgaon are available with the respondents as detailed in letter No.29224 dated 25.07.2012 (copy of letter is attached as Annexure P-1). In Sector 57, it is alleged that only 8 plots are disputed and all those persons have knocked the doors of this Hon'ble Court by filing different writ petitions have been allotted alternative plots by draw of lots held on 22.08.2012 as is evident from letter dated 14.08.2012, copy of which is attached as

**Annexure P-2.**

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

C.W.P. No.17415 of 2012

Date of Decision: August 08, 2013

Jagdish Singh Yadav

....Petitioner

Versus

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL  
HON'BLE MR.JUSTICE AMOL RATTAN SINGH**

Present: Mr. S.K.S. Bedi, Advocate,  
for the petitioner.

Mr. Siddharth Batra, Advocate,  
for respondents No.2 to 4.

For orders, see C.W.P. No.2759 of 2013.

( SATISH KUMAR MITTAL )  
JUDGE

( AMOL RATTAN SINGH )  
JUDGE

August 08, 2013  
vkg  
W

Common D/P  
add-Dee 2055/13

28/9/2013



29/8/13  
29/8/13

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT  
CHANDIGARH

CIVIL WRIT PETITION NO. 25187 OF 2012

Arun Kumar Bhalla S/o Sh. B.S. Vidyalankar, R/o A-121, Ashok Vihar, Phase-III,  
Delhi.

.... Petitioner

Versus

1. State of Haryana through Financial Commissioner & Principal Secretary,  
Department of Town and Country Planning, Civil Secretariat, Haryana,  
Chandigarh.
2. Haryana Urban Development Authority through its Chief Administrator,  
Sector 6, Panchkula.
3. Administrator, HUDA, Sector 14, Gurgaon.
4. Estate Officer-II, HUDA, Sector 56, Gurgaon.

... Respondents

**Civil Writ Petition** under Article 226/227 of the

Constitution of India directing the respondents to give  
possession of the originally allotted Plot No. 292, Sector 52,  
Gurgaon (10 marla size) or of an alternative residential plot  
of the same size in lieu of his originally allotted plot to the  
petitioner.

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

C.W.P. No.25187 of 2012

Date of Decision: August 08, 2013

Arun Kumar Bhalla

...Petitioner

Versus

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL  
HON'BLE MR.JUSTICE AMOL RATIAN SINGH**

**Present:** Dr. Surya Parkash, Advocate,  
for the petitioner.

Mr. Siddharth Batra, Addl. A.G., Haryana,  
for respondent No.1.

Mr. Raman Gaur, Advocate,  
for respondents No.2 to 4.

...

For orders, see C.W.P. No.2759 of 2013.

(Sd/-) *Sd/-*  
**(SATISH KUMAR MITTAL)**  
JUDGE

(Sd/-) *Sd/-*  
**(AMOL RATIAN SINGH)**  
JUDGE

August 08, 2013  
vkg

✓



*Common JPR  
Addl Sec 2259/13*

*Received  
28/9/2013*

*21/8/13*

*Sd/-  
21/8/13*

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT****CHANDIGARH**CIVIL WRIT PETITION NO. 2760 OF 20131-2-13  
453-  
3511**MEMO OF PARTIES**

Avinash Suri W/o Sh. Jaipal Singh Suri R/o H.No. 37/5, East Patel Nagar, New

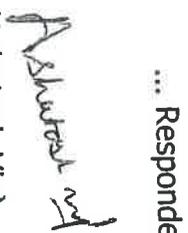
Delhi.

.... Petitioner

Versus

1. State of Haryana through Financial Commissioner & Principal Secretary, Department of Town and Country Planning, Civil Secretariat, Haryana, Chandigarh.
2. Haryana Urban Development Authority through its Chief Administrator, Sector 6, Panchkula.
3. Administrator, HUDA, Sector 14, Gurgaon.
4. Estate Officer-II, HUDA, Sector 56, Gurgaon.
5. Sh. S. S. Dhillon, Financial Commissioner & Principal Secretary, Department of Town and Country Planning, Civil Secretariat, Haryana, Chandigarh.
6. Sh. D. P. S. Nagal, Chief Administrator, Haryana Urban Development Authority, Sector 6, Panchkula.
7. Sh. Manoj Khatri, Estate Officer-II, HUDA, Sector-56, Gurgaon.

... Respondents

  
(Dr. Surya Parkash) (Ashutosh Vig)  
AdvocatesChandigarh,  
Dated: 06.02.2013  
Counsel for the petitioner

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT

CHANDIGARH

CIVIL WRIT PETITION NO. 27-60 OF 2013

Avinash Suri

.... Petitioner

Versus

State of Haryana and others

... Respondents

**Civil Writ Petition** under Article 226/227 of the Constitution of India for issuance of writ of certiorari quashing the decision dated 23.01.2013 (**Annexure P-11**), being discriminatory, arbitrary, mala fide and in violation of Article 14 and 16 of the Constitution of India or in alternative directing the respondents to give possession of the originally allotted Plot to the petitioner prior to the proposed draw of lots or to include the plot of the petitioner in the draw of lots for an alternative residential plot of the same size i.e. 10 marla in lieu of her originally allotted plot No.1672, Sector 57, Gurgaon, of 10 Marla size, and hand over the possession of the same, as about 8 years have passed, since the allotment.

Further for directing the respondent No.1 for getting the selective inclusion of the plots in draw of lots, investigated from an independent agency/ Central Bureau of Investigation, as the respondents No.5 to 7 are indulging in systematic corruption in the matter of allotment/re-allotment of alternative plots etc.

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

C.W.P. No.2760 of 2013

Date of Decision: August 08, 2013

Avinash Suri

....Petitioner

Versus

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL  
HON'BLE MR.JUSTICE AMOL RATTAN SINGH**

Present: Dr. Surya Parkash, Advocate,  
for the petitioner.

Mr. Siddharth Batra, Advocate,  
for respondents No.2 to 4, 6 and 7.

...

For orders, see C.W.P. No.2759 of 2013.

(SATISH KUMAR MITTAL)  
JUDGE

(AMOL RATTAN SINGH)  
JUDGE

August 08, 2013

vkj

✓



Common PFA  
added 26/08/13

28/8/13

Power  
28/9/2013

28/8/13

147

-1- *copy*

*S*

*148*

**IN THE HIGH COURT FOR THE STATES OF PUNJAB & HARYANA  
AT CHANDIGARH.**

C.W.P. NO. 4656 OF 2013

Bhagwati Prasad son of late Sh. Roshan Lal, B-3/323, Sunrise  
Apartment, Sector 13, Rohini, New Delhi. 110085.

....Petitioner

Versus

1. State of Haryana through financial commissioner & Principal  
Secretary, Department of Town and Country Planning, Civil  
Secretariat, Haryana, Chandigarh.
2. Haryana Urban Development Authority, through its Chief  
Administrator, Sector 6, Panchkula.
3. Administrator, HUDA, Sector 14, Gurgaon, Haryana.
4. The Estate Officer, HUDA, Sector 56, Gurgaon.

....Respondents

-2-

Case No. 6

149

Civil Writ Petition under article 226/227 of Constitution of India praying that this Hon'ble Court may please be issue a writ in the nature mandamus directing the respondents to allot and to give possession of an alternative plot in lieu of the originally allotted plot No.3057, in Sector 57, Gurgaon on free hold basis which stands omitted as per new demarcation plan of Sector 57, Part-II, Urban Estate, Gurgaon as per the judgment of this Hon'ble Court in CWP No.15386 of 2009 titled as Subhash Puri Vs. State of Haryana and as per the policy of HUDA dated 10.12.2007 for allotment of alternative plot.

Further writ in the nature of mandamus directing the respondents to hold a fresh draw of lots expeditiously and preferably in a time bound period taking into consideration the judgment passed in CWP No.15386 of 2009 dated 01.03.2012 and policy of HUDA dated 10.12.2007 framed for the purpose of allotment of alternative plot.

It is further prayed that the respondents are also entitled to pay the interest @ 9% p.a. on the amount deposited by the petitioner, on account of inability of the respondents to deliver the physical

150

2  
Gowtham 7

possession of the plot in view of the policy dated  
10.12.2007.

It is further prayed that during the pendency of the  
present writ petition a residential plot measuring  
10 marlas may be kept reserved for the petitioner  
in Sector 57, Gurgaon.

Any other relief which this Hon'ble Court may  
deem fit and proper be passed in favour of the  
petitioner.

Respectfully Showeth:-

1. That the petitioner is the senior citizen and aged about 62 years and being resident of India is entitled to invoke the writ jurisdiction under article 226/227 of Constitution of India by way of filing the present writ petition.
2. That the petitioner was initially allotted a plot No.3057, measuring 220 sq. mtrs (10 marlas) vide allotment letter dated 17.03.2005 for a tentative price of Rs.9,24,000/-. A copy of the allotment letter is being annexed herewith as **Annexure P/1**.
3. That the petitioner in lieu of the above mentioned allotment letter paid the entire allotment price of Rs.9,24,000/- in six installments as per the terms and conditions of the allotment letter. Copy of the receipts are being annexed herewith as **Annexure P/2 (Colly)**.

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

C.W.P. No.4656 of 2013

Date of Decision: August 08, 2013

Bhagwati Prasad

....Petitioner

Versus

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL  
HON'BLE MR.JUSTICE AMOL RATTAN SINGH**

Present: Mr. Armit Jhanji, Advocate,  
for the petitioner.

Mr. Siddharth Batra, Advocate,  
for respondents No.2 to 4.

For orders, see C.W.P. No.2759 of 2013.

( SATISH KUMAR MITTAL )  
JUDGE

( AMOL RATTAN SINGH )  
JUDGE

August 08, 2013  
vkg  
L ✓

Common DPA  
added see 2759/13

28/8/13

28/9/2013



Sd/-  
28/8/13

2-1  
152  
4  
C.W.P. No. 2199 of 2013

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

1. Vijay son of Mohinder Singh Resident of H. No. 670, Kanal Colony Model Town Rohtak
- 2 Anurag Hooda son of Sh. Jai Singh resident of H. No. 1013-P, Sector-1, HUDA Rohtak
3. Dr. Dharam Sukh Dahiya son of Sh. Bharat Singh, resident of H. No. 12, Type-IV, M.D. University Campus Rohtak
- 4 Om Parkash son of Nand Lal resident of H. No. 885/25, Near ITI Chinyot Colony, Rohtak
- .....Petitioners

Versus

1. Haryana Urban Development Authority HUDA Office Complex C-3, Sector-6, Panchkula through its Chief Administrator
2. Estate Officer-II, Haryana Urban Development Authority, Sector-56, Gurgaon
- .....Respondents

Chandigarh.

(RAJBIR SEHRAWAT) (NEERAJ SURA)

03-04-2013

Advocates

(Counsel for the Petitioners)

WRIT PETITION UNDER ARTICLE 226/227 of the Constitution of India praying for the issuance of a writ in the nature of Certiorari/ mandamus quashing the letter dated 14-12-2012 at Annexure P-7 to Annexure P-10 and further directing the respondents to allot the alternate plots to the petitioners in the same sector to the satisfaction of the petitioners and further directing the respondent not to recover any enhancement of price from the petitioners for the original plots till the allotment of alternate plots is finalized and further for issuance of a direction to the respondents to pay interest at the rate of 24% per annum on the amount deposited by the petitioners till the date of giving possession of the plots, and further for issuance of any other writ, order or direction, which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

**RESPECTFULLY SHOWETH:**

1. That the petitioners are the resident of Haryana State, so they are competent to invoke the extra ordinary jurisdiction of this Hon'ble Court by way of filing the present writ petition under Articles 226/227 of the Constitution of India.
2. That the petitioners No. 1, 2 and 4 were allotted the residential plots in Sector-57, Gurgaon in the draw of lots. Likewise the petitioner No. 3 had purchased the plot in Sector-57, Gurgaon from the original allottee Sh. Kalash Ghai and therefore he was

3  
gover

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

C.W.P. No.7199 of 2013

Date of Decision: August 08, 2013

Vijay and others

....Petitioners

Versus

HUDA, Panchkula and others

....Respondents

**CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL  
HON'BLE MR.JUSTICE AMOL RATTAN SINGH**

Present: Mr. Rajbir Sehrawal, Advocate,  
for the petitioners.

Mr. Siddharth Batra, Advocate,  
for the respondents.

...

For orders, see C.W.P. No.2759 of 2013.

Sd/-

( SATISH KUMAR MITTAL )  
JUDGE

Sd/-

( AMOL RATTAN SINGH )  
JUDGE

August 08, 2013  
vkg

PUNJAB AND HARYANA HIGH COURT

Common D/B/A  
addl Dec 27/13

gover 28/9/2013



29/8/13

29/8/13

IN THE HIGH COURT FOR THE STATES OF  
PUNJAB AND HARYANA AT CHANDIGARH  
CIVIL WRIT PETITION 85830F 2013

Suvarna Mercantile Pvt. Ltd., through  
Authorized Signatory, N. K. Chaturvedi,  
15/438, Khatio Wali Gali, Near Navjot High  
School, Bahadurgarh 124507 (Haryana)

Petitioner

Versus

1. State of Haryana through Financial  
Commissioner & Principal Secretary,  
Department of Town and Country Planning,  
Civil Secretariat, Haryana, Chandigarh

2. Haryana Urban Development Authority  
through its Chief Administrator Sector 6,  
Panchkula

3. Administrator, HUDA, Sector 14, Gurgaon

4. Estate Officer-II, HUDA, Sector 56,  
Gurgaon  
Chandigarh

Dated : 23-04-13

  
(Dr. Surya Parkash)  
ADVOCATE  
COUNSEL FOR THE PETITIONER

2 - *Sharma* - 20 -

Civil Writ Petition under Article 226/227 of Constitution of India directing the respondents to give originally allotted plots to the petitioner or an alternative residential plots of the same size i.e. 4 marlas in view of its original allotted plots No. 274, and Plot No. 191 Sector 43, Gurgaon, to the petitioner as un-allotted plots and un-allotted land is available with the respondents and hand over the possession of the same.

Respectfully Showeth:

1. That the petitioner is a private Limited Company running its business at Gurgaon with its head office in Delhi. The petitioner company is run by citizens of India who are mainly residents of Delhi and Haryana and as such the petitioner company is entitled to invoke the extra ordinary writ jurisdiction of this Hon'ble Court.
2. That the petitioner is running its business of share commodities at Gurgaon. The petitioner needs residential houses for its employees at Gurgaon as the prices of land in Delhi are very high.

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

C.W.P. No.8583 of 2013

Date of Decision: August 08, 2013

Suvarna Mercantile Pvt. Ltd.

....Petitioner

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL  
HON'BLE MR.JUSTICE AMOL RATTAN SINGH**

**Present:** Dr. Surya Parkash, Advocate,  
for the petitioner.

Mr. Siddharth Batra, Addl. Advocate General, Haryana,  
for respondent No.1.

Mr. Raman Gaur, Advocate,  
for respondents No.2 to 4.  
...

For orders, see C.W.P. No.2759 of 2013.

Sd/-  
(SATISH KUMAR MITTAL)  
JUDGE

Sd/-  
(AMOL RATTAN SINGH)  
JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

JUDGE

August 08, 2013

vkjg



JUDGE

(AMOL RATTAN SINGH)

158

-1- *gover*

-2-

IN THE HIGH COURT FOR THE STATES OF  
PUNJAB AND HARYANA AT CHANDIGARH  
CIVIL WRIT PETITION 8584 OF 2013

Roukela Steel Pvt. Ltd., (Formerly known as  
Immediate Portfolio & Securities Pvt. Ltd.,  
through its Authorized Signatory, Kailash  
Sharma son of Gangadhar Sharma, Authorized  
Signatory, 1488, Sector 6, Bahadurgarh - 124  
507 (Haryana)

Petitioner

Versus

1. State of Haryana through Financial  
Commissioner & Principal Secretary,  
Department of Town and Country Planning,  
Civil Secretariat, Haryana, Chandigarh
  2. Haryana Urban Development Authority  
through its Chief Administrator Sector 6,  
Panchkula
  3. Administrator, HUDA, Sector 14, Gurgaon
  4. Estate Officer-II, HUDA, Sector 56,  
Gurgaon
- Chandigarh

Dated : 23-04-13

  
(Dr. Surya Parkash)  
ADVOCATE  
COUNSEL FOR THE PETITIONER

158

- 2 - *gover*  
- 24 -

Civil Writ Petition under Article  
226/227 of Constitution of India  
directing the respondents to give  
originally allotted plots to the  
petitioner or an alternative residential  
plots of the same size i.e. 4 marlas in  
view of its original allotted plots No.  
284, Sector 43, Gurgaon, to the  
petitioner as un-allotted plots and un-  
allotted land is available with the  
respondents and hand over the  
possession of the same.

Respectfully Showeth:

1. That the petitioner is a private Limited Company running its business at Gurgaon with its head office in Delhi. The petitioner company is run by citizens of India who are mainly residents of Delhi and Haryana and as such the petitioner company is entitled to invoke the extra ordinary writ jurisdiction of this Hon'ble Court.
2. That the petitioner was earlier known as Immediate Portfolio & Securities Pvt. Ltd. but the name of the petitioner has been changed as Rourkela Steel Pvt Ltd in record.
3. That the petitioner is running its business of share commodities at Gurgaon. The petitioner needs residential houses for its



- 1 -  
Cover  
- 2 -

161

IN THE HIGH COURT FOR THE STATES OF  
PUNJAB AND HARYANA AT CHANDIGARH  
CIVIL WRIT PETITION 8585 OF 2013

Aircon Systems (I) Pvt. Ltd., through Authorized  
Signatory, Mahavir Jhanwar r/o 303,  
Himland House, Commercial Complex, New  
Delhi-110015  
Petitioner

Versus

1. State of Haryana through Financial  
Commissioner & Principal Secretary,  
Department of Town and Country  
Planning, Civil Secretariat, Haryana,  
Chandigarh
2. Haryana Urban Development Authority  
through its Chief Administrator Sector  
6, Panchkula
3. Administrator, HUDA, Sector 14,  
Gurgaon
4. Estate Officer-II, HUDA, Sector 56,  
Gurgaon

Chandigarh

Dated : 23-04-13

  
(Dr. Surya Parkash)  
ADVOCATE  
COUNSEL FOR THE PETITIONER

162  
-29-

Civil Writ Petition under Article  
226/227 of Constitution of India  
directing the respondents to give  
originally allotted plots to the  
petitioner or an alternative  
residential plots of the same size  
i.e. 4 marlas in view of its original  
allotted plots No. 274, and Plot No.  
294-P Sector 43,. Gurgaon, to the  
petitioner as un-allotted plots and  
un-allotted land is available with  
the respondents and hand over the  
possession of the same.

Respectfully Showeth:

1. That the petitioner is a private Limited Company running its business at Gurgaon with its head office in Delhi. The petitioner company is run by citizens of India who are mainly residents of Delhi and Haryana and as such the petitioner company is entitled to invoke the extra ordinary writ jurisdiction of this Hon'ble Court.
2. That the petitioner is running its business of share commodities at Gurgaon. The petitioner needs residential houses for its

3 - Govt

163

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

C.W.P. No.8585 of 2013

Date of Decision: August 08, 2013

Aircon Systems (I) Pvt. Ltd.

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL  
HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Dr. Surya Parkash, Advocate,  
for the petitioner.

Mr. Siddharth Batra, Addl. Advocate General, Haryana,  
for respondent No.1.

Mr. Raman Gaur, Advocate,  
for respondents No.2 to 4.

...

For orders, see C.W.P. No.2759 of 2013.

(SATISH KUMAR MITTAL)  
JUDGE  
(AMOL RATTAN SINGH)  
JUDGE

August 08, 2013  
vkg



Common DFR  
Addl Sec 2759/13

Govt  
28/9/2013

24/8/13

Sd/-  
28/9/13

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

C.W.P. No. 10336 of 2013

Anita Dewan W/o Sh. Amit Dewan, R/o House No. 918, Sec 2,  
Panchkula.

... Petitioner

Versus

1. Haryana Urban Development Authority, through its Chief  
Administrator, HUDA, HUDA Complex, Sector 6, Panchkula.

2. Estate Officer, No. II, HUDA, Sector 56, Gurgaon.

... Respondents

Anita Dewan

Writ petition under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to decide the Representation/objections dated 29.1.2013 (Annexure P-5).

And/or

To issue any other appropriate writ, order, or direction in the circumstances of the case.

RESPECTFULLY SHOWETH:

1. That the respondents had invited applications from public at large for allotment of residential plots at Sector 57, Gurgaon for which the closing date was in May 2004. The different rates were fixed by the respondents for allotment of residential plots measuring 1 Kanal, 14 Marla, 10 Marla, 6 Marla etc. The plot involved in the present writ petition is 6 Marlas, for which the rate fixed by the respondents was Rs. 3880/- per Sq. Mt. including the development charges etc.
2. The petitioner applied for a plot of 6 Marla category by paying 10% amount of the tentative price & accordingly Plot No. 836 of 6 Marla in Sector 57, was allotted to her on free hold basis in December 2004, after succeeding in draw of lots as per the scheme floated for Sector 57, Gurgaon. Further, the balance 90% payment was to be made in installments. It was

Anita Dewani

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

C.W.P. No.10336 of 2013

Date of Decision: August 08, 2013

Anita Dewan

....Petitioner

Versus

HUDA and another

....Respondents

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL  
HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr. Sanjiv Gupta, KKR, Advocate,  
for the petitioner.

Mr. Raman Gaur, Advocate,  
for the respondents.

...

For orders, see C.W.P. No.2759 of 2013.

Sdl

(SATISH KUMAR MITTAL)  
JUDGE

(AMOL RATTAN SINGH)  
JUDGE

August 08, 2013  
vkg

✓

Common P.F. Fee 2051/13

28/8/13

28/8/13

28/9/2013

-3- 2013

16

167  
5

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP NO. 19062 OF 2013

NARENDRA KUMAR GANERIWAL S/O SHRI BHAGIRATH LAL R/O 4-A-12,  
TALWANDI, KOTA-324005, RAJASTHAN

.....PETITIONER

VERSUS

1. HARYANA URBAN DEVELOPMENT AUTHORITY, SECTOR-6  
PANCHKULA THROUGH ITS CHIEF ADMINISTRATOR.

2. ESTATE OFFICER-II, HARYANA URBAN DEVELOPMENT AUTHORITY,  
SECTOR-56, GURGAON.

.....RESPONDENTS

2 - 2 - 2011  
6/68

CIVIL WRIT PETITION UNDER ARTICLE 226 OF  
THE CONSTITUTION OF INDIA FOR THE  
ISSUANCE OF A WRIT IN THE NATURE OF  
MANDAMUS DIRECTING THE RESPONDENTS  
TO EXECUTE THE CONVEYANCE DEED OF  
PLOT NO. 2199, SECTOR-57, GURGAON IN  
FAVOUR OF THE PETITIONER WITHOUT ANY  
FURTHER DELAY, TO PROVIDE PLINTH LEVEL  
FOR STARTING CONSTRUCTION, OVERHAUL  
THE ACCOUNTS AND REFUND ALONGWITH  
INTEREST THE ILLEGALLY & ARBITRARILY  
CHARGED AMOUNT.

AS ALSO FOR THE ISSUANCE OF ANY  
OTHER WRIT, ORDER OR DIRECTION, WHICH  
THIS HON'BLE COURT MAY DEEM FIT AND  
PROPER IN THE FACTS AND CIRCUMSTANCES  
OF THE PRESENT CASE.

RESPECTFULLY SUBMITTED;

1. That the petitioner, a humble law abiding Citizen of India, who has retired from Instrumentation Ltd., a public sector undertaking and has invested substantial amount for the plot allotted by Haryana Urban Development Authority (hereinafter to be referred as HUDDA), is constrained to invoke the extraordinary jurisdiction of this Hon'ble Court to protect his Constitutional and human right to property, which is being violated by HUDDA, a 'Local Authority', in arbitrary and obscure manner.

2. That respondent No. 1 established under the Haryana Urban Development Authority Act, 1977 (hereinafter for the sake of brevity

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

C.W.P. No.12062 of 2013

Date of Decision: August 08, 2013

Narendra Kumar Ganeriwal

...Petitioner

Versus

HUDA and another

..... Respondents

**CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL  
HON'BLE MR.JUSTICE AMOL RATTAN SINGH**

Present: Mr. B.S. Sudan, Advocate,  
for the petitioner.

Mr. Raman Gaur, Advocate,  
for the respondents.

For orders, see C.W.P. No.2759 of 2013.

# PUNJAB AND HARYANA HIGH COURT

August 08, 2013

vkjg

( SATISH KUMAR MITTAL )  
JUDGE  
( AMOL RATTAN SINGH )  
JUDGE



*Amol Rattan Singh*  
add ed see 2013/13

*2/12/13*

*gaur*  
28/9/2013

*SP*  
28/9/13