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**(2010) 12 P&H CK 0045**  
**In the Punjab And Haryana At Chandigarh**  
**Case No : CWP No. 22166 of 2010**

Ambrosia Commerce (P) Ltd.

APPELLANT

Vs

State of Haryana and Others

RESPONDENT

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**Date of Decision :** 13-12-2010

**Acts Referred:**

**Citation :** (2010) 12 P&H CK 0045

**Hon'ble Judges :** Surya Kant, J

**Bench :** Single Bench

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## Judgement

Surya Kant J.—Notice of motion. On the asking of the Court, Mr. RS Kundu, learned Addl. AG Haryana, who is present in Court, accepts notice on behalf of respondents. Having regard to the nature of order which I propose to pass, there is no necessity to call upon the respondents to file their counter-replies/affidavits at this stage.

2. The petitioner seeks a mandamus to direct the respondent-HUDA authorities to allot an alternative residential plot measuring 10 marlas out of the plots lying unallotted in Sector 52, Gurgaon. It is averred that Plot No. 117, Sector 52, Gurgaon was originally allotted to Sunita Panchal r/o Vijay Park near Laxmi Bazar, Gurgaon which was purchased by the petitioner from the original allottee and the re-allotment letter No. 10559 dated 03.11.2003 (Annexure P1) was also issued in the name of the petitioner. The petitioner is said to have deposited the entire sale consideration but the possession of the plot was not delivered. Subsequently, the petitioner was informed that the plot has been omitted in the revised demarcation plan issued on 1st March, 2005. The petitioner has been representing since then the allotment of an alternative plot but no heed has been paid to its request.

3. It is averred that presently residential Plots No. 1731-A and 1737-A, Sector 52, Gurgaon which are also measuring 10 marla, are lying unallotted and the petitioner can, thus, be allotted a plot out of these plots in lieu of Plot No. 117, Sector 52, Gurgaon. It is also averred that alternative plots are being allotted to

those who obtain appropriate directions from this Court.

4. Having heard learned counsel for the petitioner and in the light of the facts which are duly supported by the documents on record, I deem it appropriate to dispose of this writ petition with a direction to the Estate Officer, HUDA, Gurgaon and the Chief Administrator, HUDA, Panchkula to consider and dispose of petitioner's claim for allotment of an alternative plot of the same size in Sector 52, Gurgaon by passing an appropriate order within a period of two months from the date of receipt of a certified copy of this order.

5. Till then plots No. 1731-A & 1737-A, Sector 52, Gurgaon shall not be allotted to anyone.

6. Ordered accordingly. Dasti.