

(2013) 08 P&H CK 0435
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 17591 of 2013

Mukesh Devi

APPELLANT

Vs

State of Haryana and Another

RESPONDENT

Date of Decision : 14-08-2013

Acts Referred:

Citation : (2013) 08 P&H CK 0435

Hon'ble Judges : Satish Kumar Mittal, J; Mahavir S. Chauhan, J

Bench : Division Bench

Advocate : S.P. Khatri, for the Appellant;

Judgement

Satish Kumar Mittal, J.—The petitioner is wife of an Ex-serviceman. She applied for allotment of LIG flat at O.P. Jindal Housing Complex, Sector 4 (Part-II), Hisar, under the reserve category of Service Military Personnel (SMP), for whom 8% units were reserved for allotment. As per the Broucher (Annexure P-1) issued by the Housing Board, Haryana, vide which the applications were invited, SMP has been defined as under:

War widows, disabled soldiers, Freedom fighters (including their children and grand children), defence personnel/Ex-servicemen personnel (residents of Haryana).

The petitioner is neither an Ex-servicewoman nor a war widow. She is the wife of an Ex-Serviceman. Though her name was kept in the draw of lots provisionally, but later on when she could not satisfy the condition with regard to her eligibility for allotment under the said category, vide order dated 16.5.2013 (Annexure P-11), the allotment of flat has been cancelled on the ground that the wives of Ex-servicemen are not eligible under the SMP quota. The said order has been challenged in the instant petition.

2. During the course of hearing, learned counsel for the petitioner could not dispute the aforesaid factual position as well as the eligibility criteria prescribed in the Broucher, according to which the wives of Ex-servicemen are not eligible

for allotment under the SMP quota. In these circumstances, we do not find any reason to interfere in the impugned order. Dismissed.