

(2014) 04 P&H CK 0170
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 21953 of 2013 (O and M)

Sudesh Kumar Arya

APPELLANT

Vs

State of Haryana and Others

RESPONDENT

Date of Decision : 29-04-2014

Acts Referred:

Citation : (2014) 04 P&H CK 0170

Hon'ble Judges : Surya Kant, J; Lisa Gill, J

Bench : Division Bench

Advocate : Naveen Sheokand, Advocate for the Appellant; Palika Monga, DAG, Haryana and Mr. Rahul Garg, Advocate for HUDA, Advocate for the Respondent

Final Decision : Disposed Off

Judgement

Surya Kant, J.—The petitioner being successful in draw of lots was allotted Plot No. 262, Sector 43 in the Urban Estate, Gurgaon vide allotment letter dated 17.06.2002 [P-1]. The possession of the plot, however, could not be delivered due to challenge to the acquisition of land by the landowners. The matter regarding allotment of an alternative plot was accordingly considered. Meanwhile, it is stated by learned counsel for HUDA that the litigation with regard to the site of original plot No. 262 is over as CWP No. 13129 of 2001 [Saraswati Kunj Cooperative House Building Society & Ors. Vs. State of Haryana & Ors.] filed by the landowners stands dismissed by this Court. He submits that after the above stated decision, the possession was expected to be delivered to the petitioner by 31st March, 2014 but due to reasons beyond the control of the authorities, the same has not been delivered so far.

2. Taking notice of the above mentioned facts more so, when there is no legal impediment against delivery of possession of Plot No. 262, Sector 43, Gurgaon to the petitioner, we dispose of this writ petition with a direction to the respondent - authorities to deliver the physical possession of plot to the petitioner by 31.05.2014, failing which the petitioner may seek special damages against the respondent - authorities.

3. Disposed of. Dasti.