



CWP-6490-2025

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

(128)

CWP-6490-2025

Date of Decision:-13.05.2025.

Shri Bhagwan and another

.....Petitioners

Versus

State of Haryana and others

.....Respondent

**CORAM: HON'BLE MR. JUSTICE SUDHIR SINGH
HON'BLE MR. JUSTICE ALOK JAIN**

Present: Mr. Deepamm Raghava, Advocate for the petitioners.

Mr. Gaurav Bansal, DAG and
Mr. Karan Jindal, AAG, Haryana.

Mr. Ankur Mittal, Advocate,
Ms. Ashna Singh, Advocate,
Ms. Sharvi Dadhwal, Advocate and
Ms. Saanvi Singla, Advocate for
respondent No.2-HSIDC.

SUDHIR SINGH, J. (Oral)

1. The petitioners have sought issuance of a writ in the nature of *certiorari* quashing the order dated 30.05.2024 (Annexure P-18), whereby, the claim of the petitioner for allotment of a plot was rejected.

2. It may be noticed that earlier the petitioners had filed CWP-20600-2023 for issuance of directions to the respondent-authorities to allot them a plot in terms of the policy of rehabilitation and resettlement of the landowners under the Land Acquisition Oustees Scheme dated 07.12.2007. The said petition was disposed of by a Coordinate Bench of this Court vide order dated 22.04.2024 (Annexure P-17). Pursuant to and in compliance with



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the said order, respondent No.2 has passed the order dated 30.05.2024 (Annexure P-18). The relevant extract from the said order reads as under:-

“9. But, the petitioner Shri Bhagwan was not allotted plot in lieu of his land which falls under the gali of Durga colony as the petitioner is not self occupied user of the land. CWP bearing no.25525-2019 was again filed by the father of the petitioner but due to unfortunate death of his father the civil writ petition was dismissed for the want of prosecution.

10. As per rehabilitation and resettlement policy dated 07.12.2007(Annexure-IV) clause no.2 (x) “The Rehabilitation Policy will also be applicable to those land owners whose residential structure / houses /dwelling units fall within alignment of essential infrastructure services and is acquired under urgency clause.” So, only self occupied residences are entitled for allotment of plot.”

3. Learned counsel appearing for the petitioners submits that while passing the aforesaid order, the respondent-authority has not taken into consideration that the land of the petitioners was acquired by the respondent-authorities and, therefore, they were entitled to the allotment of the plot under the rehabilitation and resettlement of the landowners under the Land Acquisition Oustees Scheme dated 07.12.2007.

4. On the other hand, Mr. Ankur Mittal, Advocate, who is present in Court on advance service of notice, points out that since no residential structure / house /dwelling unit of the petitioners and/or they have had insisted on the land in question when the same was acquired, the petitioners are not entitled to the allotment of the plot. He has made a specific reference to clause (x) of the Haryana Government Revenue and Disaster Management Department Notification dated 07.12.2007.



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5. Learned counsel appearing for the petitioners could not controvert the aforesaid factual aspect.

6. As there is no structure / houses / dwelling units, existed on the land of the petitioners / their father, at the time of the acquisition of the land, the petitioners cannot claim the benefit under the aforesaid policy particularly when clause (x) of the said policy makes a specific stipulation for applicability of the rehabilitation policy.

7. In view of above, we do not find any merit in the present writ petition and the same is dismissed.

8. Pending applications, if any, be disposed of accordingly.

(SUDHIR SINGH)
JUDGE

(ALOK JAIN)
JUDGE

May 13, 2025.

S. Sethi

Whether speaking/reasoned:- Yes/No

Whether Reportable:- Yes/No