



हरियाणा शहरी विकास प्राधिकरण
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To

1. All the Administrators,
HSVP in the State.
2. All the Estate Officers,
HSVP in the State.

Memo No. A-6-UB-2019/

Dated:

Subject: Policy for allotment of residential plots to Defence Category – amendment in eligibility criteria thereof.

This is with reference on the subject cited above.

As per eligibility conditions specified in the brochure, officers of the ranks of Colonel and above and equivalent ranks of Navy & Air Force/Paramilitary Forces are eligible to apply for 1 Kanal Plot only. Other Commissioned Officers upto Lt. Col and equivalent rank are eligible for 14 Marla & 10 Marla plots.

Various writ petitions were filed against the eligibility criteria of defence personnel as stated above before the Hon'ble High Court of Punjab & Haryana which were allowed with the directions to allot plots to the petitioners and in some cases, directions were issued to respondent- HSVP to verify the claim of the petitioner and determine their eligibility in the light of the decision in Chander Bhan Sharma's case. The SLP filed by HSVP in Chander Bhan's case has been dismissed leaving the questions of law open.

In the meantime Hon'ble High Court dismissed the CWP No. 6377 of 2016 titled as Badan Singh vs. State of Haryana & ors involving similar issue as is involved in the aforesaid cases. The review application no. 492/2017 was filed in CWP No. 5736/2013, the same was also dismissed.

The matter was discussed in the officers meeting held on 20.02.2018 under the chairmanship of CA, HSVP and it was observed that no policy has been found in respect of the ibid eligibility criteria of defence personnel. After deliberations, a view was formed that no useful purpose will be served by filing SLP even though questions of law are still to be decided. A view, therefore, emerged that orders passed in the writ petition may be complied with.

14

The matter was placed before the Pradhikaran in its 118th meeting held on 10/12.07.2019 with the proposal that the eligibility criteria for allotment of a particular size of plot to the Defence personnel, depending upon their ranks, which was set-aside by the Hon'ble High Court/Apex Court may be dispensed with for future floatations. The Pradhikaran has approved the proposal with the stipulation that if the number of applications are more than the available plots of defence category then e-auction may be held between the applicants. A copy of Agenda alongwith extract of the decision of the Pradhikaran is sent herewith.

You are requested to take further action in the matter accordingly and action taken report may be sent to this office immediately. These instructions may be brought to the notice of all concerned.

DA/As above

Administrator (HQ),
HSVP, Panchkula.

Endst. No. A-6-UB-2019/ 160271

Dated:- 4/9/19

A copy of the above is forwarded to the following for information and necessary action:-

1. The Chief Controller of Finance, HSVP, Panchkula.
2. The Chief Engineer, HSVP, Panchkula.
3. The Chief Town Planner, HSVP, Panchkula.
4. The Secretary, HSVP, Panchkula.
5. The GM(IT), HSVP, Panchkula. He is requested to host it on HSVP Web-site.
6. The District Attorney, HSVP (HQ), Panchkula. He is requested to ask HSVP Counsel to defend COCP No. 574 of 2019 titled as Raj Kapoor Malik V/s Deepinder Singh Dhesi, IAS and others which is listed for 20.09.2019.
7. The Dy. ESA, HSVP (HQ), Panchkula.
8. All the Assistant/Record Keepers, Urban Branch, HSVP (HQ), Panchkula.

Administrator (HQ),
HSVP, Panchkula.