

From

The Chief Administrator,
HUDA, Panchkula.

To

1. All the Administrators, HUDA
2. All the Estate Officers, HUDA
3. Counsels on the panel of HUDA.

Memo No.: DA/2013 3844 to 68

Dated: 30/8/13

Sub: To file written statements/replies etc on first date of hearing- CWP No. 6875 of 2013 titled as Ram Kumar and Anr. Vs State of Haryana and Ors. (Urban Estate, Rohtak).

Reference the interim order of Hon'ble High Court dated 04.07.2013 on the subject cited above (Copy enclosed).

The Hon'ble High Court has taken a serious view of non filing of replies etc. by HUDA promptly and has passed the ibid order dated 04.07.2013 in the following terms:-

"Reply filed on behalf of respondents No. 1 and 2 is taken on record.

A perusal of the record shows that four opportunities have already been granted to the respondents to file reply. There is absolutely no justification to grant further time to respondent-HUDA to file its reply. However, on persistent request made by its Counsel, one more but last opportunity is granted making it clear that henceforth if no reply is filed on behalf of HUDA on the first date of hearing, there shall be exemplary costs to be personally recoverable from the all the Class-I officer (s) who are responsible to run the helm of affairs.

List on 11.09.2013.

Till the next date of hearing, status quo shall be maintained".

**(SURYA KANT)
JUDGE**

**(SURINDER GUPTA)
JUDGE**

As per the instructions No.CA/2/2007 dated 21.05.2007, No. 208 dated 07.01.2008, No. 5629-62 dated 07.08.09, endst No. 3015-90 dated 19.04.2010 as well as terms and conditions of the engagement letter, the written statement/ reply shall be got prepared and filed on the first date of hearing or at the most on the second date of hearing if the time is very short. Whenever the Administrator or the Estate Officer, as the case may be, is unable to file the reply on the first two dates, report regarding the same shall be sent to the Chief Administrator in L-1 format.

Inspite of the ibid instructions issued by HUDA from time to time to streamline the procedure regarding the defence of court cases, non filing of written

statement /reply on or before the date fixed has become an issue and causes embarrassment to the Authority. Such lapse should not be allowed to recur in future. The written statement/reply must be filed three days prior to the first date of hearing in the registry of the Hon'ble Court (s). In case costs are imposed for any such lapse in future, 90% of cost be recovered from main parties i.e. Estate Officer etc. responsible for non supply of written statement/ reply for vetting and filing and 10% be apportioned between the concerned dealing hand in legal branch at HQ, Administrator Office, Estate Office and the Advocate on panel.

The instructions issued from time to time, the order of the Hon'ble High Court dated 04.07.2013 and the present instructions be complied with meticulously without fail. The receipt of the instruction may be acknowledged

DA/ as above

J.
for Chief Administrator,
HUDA, Panchkula.

Endst. No.: DA/2013/ 38 69 to 80

Dated: 30/8/13

A copy of the above is forwarded to:-

1. The Administrator, HUDA HQ.
2. The Chief Engineer, HUDA (HQ)
3. The Chief Engineer-I, HUDA, (HQ)
4. The CTP, HUDA, Panchkula
5. The CCF, HUDA, Panchkula.
6. The Secretary, HUDA, Panchkula
7. All the Law Officers in the Legal Cell, H.Q. HUDA with the direction to ensure that replies are filed three days prior to the first date of hearing in the registry of the Hon'ble Court (s) and to put up the files of those cases wherein replies are not being filed by Administrators/Estate Officers etc. inspite of emails, reminders and telephonic messages for taking strict disciplinary action.
8. PS to Ld. PSTCP for kind information of Ld. PSTCP.
9. PS to Chief Administrator for kind information of W/CA.

J.
for Chief Administrator,
HUDA, Panchkula.