

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

**CM-10083-CWP-2015 in/and
CWP No.16354 of 1996 (O&M)**

Date of Decision: 20.08.2015

Mohinder Singh & Anr.

. . . . Petitioners

VS.

State of Punjab & Ors.

. . . . Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR.JUSTICE JASPAL SINGH**

- 1. Whether Reporters of local papers may be allowed to see the judgment?*
- 2. To be referred to the Reporters or not?*
- 3. Whether the judgment should be reported in the Digest?*

Present: Mr. Raman Sharma, Advocate for the petitioners

Mr. Rajesh Bhardwaj, Addl. AG Punjab

SURYA KANT, J. (Oral)

CM-10083-CWP-2015

Allowed as prayed for.

Documents, Annexure A1 & A2 are taken on record
subject to just exceptions.

CM stands disposed of.

CWP No.16354 of 1996

(1) The petitioners seek quashing of the orders dated 11.07.96 and 22.08.1996 (P10 & P12) whereby the resolution dated 27.11.1995 (P9) passed by respondent No.2-Trust has been annulled. A direction has been sought for allotment of plots to the petitioners in terms of the Resolution (P9).

(2) In view of the averments made in the affidavit coupled with the resolution dated 16.04.2010 (A1) said to have been passed

by respondent/Improvement Trust, it does appear that the writ petition *qua* petitioner No.2 to whom the plot was allotted has been rendered infructuous.

(3) Petitioner No.2 is claimed to have transferred his non-existent rights in favour of his Attorney who has filed this application.

(4) We thus dispose of the writ petition with a direction to the first petitioner or his Attorney to establish their right before the Improvement Trust who shall consider such claim in accordance with law within six months. If the statement made *qua* petitioner No.2 is found incorrect, the said petitioner shall be at liberty to seek revival of this petition and in such eventuality, there shall be exemplary costs on the General Power of Attorney-holder of petitioner No.1.

(Surya Kant)
Judge

20.08.2015
vishal shonkar

(Jaspal Singh)
Judge