

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

CWP-11362-2014

Date of decision:- 17.09.2015

Prem Parkash

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Parminder Singh, Advocate,
for the petitioner.

Mr. Rahul Dev Singh, Deputy Advocate General, Haryana.

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S.J. VAZIFDAR, A.C.J. (ORAL)

The impugned order dated 19.07.2013 rejecting the petitioner's claim for the allotment of a plot as an oustee cannot be faulted. The petitioner claims to be a disciple of the original owner of the plot. The disciple of an owner of a plot is not entitled to inherit the property. The order also records that no advertisement had been issued inviting claims in respect of the property that was acquired. Thus, even assuming that the Will relied upon by the petitioner is genuine, it would make no difference.

2. The impugned order is, therefore, upheld.

3. It is now contended that the petitioner is also the maternal grand-son of the original owner of the plot. He would indeed be a blood relative of the original owner if he is in fact the grand-son. However, there is no evidence to establish the relationship. It is only upon the petitioner establishing the authenticity and validity of the Will and establishing that he is the only legal heir and/or legatee that he would be entitled to have his application as an allottee considered.

4. The writ petition is accordingly disposed of.

(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE

(TEJINDER SINGH DHINDSA)
JUDGE

17.09.2015