

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.12051 of 2015
Date of Decision: September 02, 2015

Hardarshan Singh Walia

.....Petitioner

versus

State of Punjab and others

.....Respondents

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

Present: Mr.Gaurav Singla, Advocate, for the petitioner.

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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?*

Surya Kant, J. (Oral)

The State of Punjab acquired land for the development of '180 Acres Development Scheme' known as 'Sewa Singh Thikriwala Nagar' by the Improvement Trust, Patiala. The Award was passed on 28.07.1978. The petitioner claims to have purchased a part of the acquired land measuring 600 square yards vide registered sale deed dated 17.02.1981. On that basis, he further claims himself to be a 'local displaced person' who is entitled to allotment of plot under the Local Displaced Persons Scheme. It is also claimed that the petitioner has been representing the Trust-authorities for such an allotment from the last more than three decades and has finally come to the Court.

The plea of discrimination is also taken as according to the petitioner, the post-acquisition vendees like him have been allotted plots.

We have heard learned counsel for the petitioner. It appears to us that the writ petition deserves to be dismissed not only on the ground of inordinate delay and laches but also for the reason that the petitioner is neither a bonafide purchaser nor a local displaced person. He was not owner of the land when it was acquired, hence, he does not qualify in the definition of 'local displaced person'.

Dismissed.

However, if the process to acquire the land of petitioner was initiated after he had purchased it and any compensation was paid to him being the affected person, then he shall be at liberty to pursue his remedy before the Trust authorities.

Disposed of accordingly.

[SURYA KANT]
JUDGE

September 02, 2015
mohinder

[JASPAL SINGH]
JUDGE