

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.1635 of 2015

Date of Decision: August 26, 2015

Kanwarjeet Singh

.....Petitioner

versus

State of Punjab and others

.....Respondents

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

Present: Mr.Rajesh Kumar Dadwal, Advocate, for the petitioner.
Mr.Rajesh Bhardwaj, Additional AG, Punjab.
Mr.M.L.Saini, Advocate, for respondent No.4.

:-

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 controversy in this case pertains to ownership and possessory rights over Plot No.291 in Scheme No.10 floated by the Improvement Trust, Hoshiarpur. The above-stated plot was allotted to the father of petitioner, namely, Harinder Singh (since deceased) on 24.03.1986, whereupon the deceased-allottee is said to have raised construction.

The allotment was cancelled on the plea that the deceased-allottee had filed a wrong affidavit regarding his income. The statutory appeal was also dismissed. Thereafter, the petitioner's father filed a civil suit which he finally lost in this Court in RSA No.5028 of 1999 which was disposed of vide order dated 09.10.2001 (P-6) with liberty to him to submit a representation before the Trust for the validation of allotment.

The said representation (P-7) submitted by the petitioner's father was forwarded by the Improvement Trust to respondent No.2 who is stated to be the Competent Authority to decide the same. Since respondent No.2 has taken no decision, hence the instant writ petition.

As the facts would speak for themselves, it is obligated upon respondent No.2 to take an appropriate decision on the representation-cum-application submitted by the petitioner's father, in accordance with law/Government Policy/Rules within a reasonable period. We, thus dispose of this writ petition with a direction to respondent No.2 to call for the records and decide the afore-mentioned representation/claim within a period of four months from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

August 26, 2015
mohinder

[JASPAL SINGH]
JUDGE