

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.19460 of 2015

Date of Decision: September 15, 2015

Ramesh

....Petitioner

versus

State of Haryana and others

.....Respondents

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

Present: Mr.Vikas Lochab, Advocate, for the petitioner.
Ms.Kirti Singh, Deputy AG, Haryana.

-.-

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)

Notice of motion to respondent Nos.1 to 5 only at
this stage.

On our asking, Ms.Kirti Singh, learned Deputy
Advocate General, Haryana, accepts notice on their behalf.

Let five copies of the writ petition be supplied to
the State counsel during the course of day failing which this
order shall be automatically recalled and the writ petition shall
be deemed to have been dismissed for non-prosecution.

In view of the nature of order which we propose to
pass, it is not necessary to seek any counter-reply from
respondent Nos.1 to 5 or to serve respondent No.6 at this
stage as no order prejudicial to its interest is being passed.

The petitioner has laid challenge to the report
given by the Lokayukta, Haryana dated 21.05.2014 whereby his
claim alleging irregularities in allotment of 100 square yard
plots to the persons living 'below poverty line' has been found
baseless and false. The petitioner alternatively claims his

inclusion in the list of eligible persons.

Having heard learned counsel for the petitioner, we do not find any ground to interfere with the report of the Lokayukta, Haryana who has apparently opined on the basis of material produced before him.

However, the claim of the petitioner for inclusion in the list of eligible persons for allotment of 100 square yard plots is a question of fact which can be enquired into by the authorities and if it is found that he fulfills such a criteria, there can be no rhyme or reason to discriminate against him.

In this view of the matter, we dispose of this writ petition without expressing any views on the eligibility or entitlement of the petitioner, with a direction to the Deputy Commissioner, Rewari to entrust the fact-finding enquiry to the B.D.P.O. and/or any other higher officer to determine whether the petitioner is eligible or not? If it is found that the petitioner fulfills the criteria prescribed in the Policy, the follow-up action shall also be taken. Needless to say that in the enquiry, the Gram Panchayat or other respectables and stake-holders may also be associated. It is further directed that even if such enquiry has already been held, the matter shall be re-enquired so as to satisfy the petitioner that complete justice has been done to him. Let the needful be done within a period of three months from the date of receiving a certified copy of this order.

Dasti.

[SURYA KANT]
JUDGE

September 15, 2015
mohinder

[JASPAL SINGH]
JUDGE