

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.24377 of 2015
Date of Decision: November 20, 2015

Krishan Kumar

....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr.R.S.Hooda, Advocate, for the petitioner.
Mr.Anil Mehta, Deputy Advocate General, Haryana.

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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)

Notice of motion to respondent Nos.1, 2 & 5,

On our asking, Mr.Anil Mehta, learned Deputy Advocate General, Haryana, accepts notice on their behalf.

Let three 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, 2 & 5 or to serve respondent Nos.3 & 4 at this stage as no order prejudicial to their interest is being passed.

The petitioner is a resident of village Daulatabad, Tehsil and District Gurgaon. He claims himself to be living Below the Poverty Line (BPL) to whom the Gram Panchayat

decided to allot plots of 100 square yards. The grievance of the petitioner is that though he is fully eligible for such allotment under the 'Mahatma Gandhi Gramin Basti Yojna' which the State Government decided to implement vide Policy memo dated 29.05.2008 (P-1) but the respondents are not considering his claim for undisclosed reasons. It is alleged that the respondents have allotted plots to ineligible persons who are not entitled to such allotment. It further appears from the averments that an exercise to identify the eligible persons was undertaken and the petitioner was included in such list but no follow up action has been taken by the Deputy Commissioner, Gurgaon or the Gram Panchayat.

Having heard learned counsel for the petitioner and taking into consideration the fact that the petitioner has placed reliance on a Government Policy which, according to him, has not been given effect, we dispose of this writ petition, without expressing any views on the merits, with a direction to respondent nos.2, 3 and 5 to verify the claim of the petitioner as contained in this petition and take an appropriate decision in accordance with law, within a period of four months from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

November 20, 2015
mohinder

[HARI PAL VERMA]
JUDGE