

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.3598 of 2015

Date of Decision: February 27, 2015

Thomas Gill and anotherPetitioners
versus
Director, Rural Development and Panchayats, Punjab
and othersRespondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE RAJ MOHAN SINGH.

Present:Mr.B.Sidhu, Advocate, for
Mr.J.S.Bhandohal, Advocate for the petitioners.

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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 grievance of the petitioners in the instant case is against the allotment of 5 marla residential plots allotted by the Gram Panchayat-respondent No.2 to respondent Nos.3 to 36. The above-stated allotment has been made under the Government Policy dated 17.04.2001 (Annexure P-4).

The petitioners have in their long story made an attempt to establish that many of the allottees are ineligible; and the eligible persons like them have been over-looked by the Sarpanch for the reasons other than merit.

The petitioners earlier challenged the resolution of the Gram Panchayat for the above-mentioned allotments, before the Director, Rural Development and Panchayats, Punjab, who has vide order dated 29.01.2015 rejected the allegations made by them, observing that the Gram Panchayat has passed the resolution after following the prescribed

procedure.

Still aggrieved, the petitioners have preferred this writ petition.

Having heard learned counsel for the petitioners and considering the fact that the writ petition raises several disputed question of facts which may be resolved by the departmental authorities only after summoning the records and/or after holding a fact-finding enquiry, coupled with the fact that the petitioners are alleging violation of the eligibility criteria prescribed in the Government Policy dated 17.04.2001, we dispose of this writ petition with a direction to the Principal Secretary, Government of Punjab, Department of Rural Development and Panchayats, to treat this writ petition as a representation-cum further appeal on behalf of the petitioners and adjudicate the same in accordance with law and after observing the principles of natural justice, within a period of four months from the date of receiving a certified copy of this order.

The allotments as well as delivery of possession of the plots shall be subject to final outcome of those proceedings.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

February 27, 2015
Mohinder

[RAJ MOHAN SINGH]
JUDGE