

CWP No. 8327 of 2014. [O&M]
Date of Decision: 15th December, 2015.

State of Punjab & Ors. Respondents through
Mr. Balwinder Singh, Advocate, for
GMADA

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SURYA KANT, J. [ORAL]

[3]. The petitioner's grievance in the instant writ petition is that

he is entitled to allotment of one more plot in lieu of acquisition of his father's land.

[4]. The respondents have filed their written statement opposing the petitioner's claim. Their stand is that the petitioner and his father were joint Khata holders and as per the previous policy dated 26.09.1994 only one plot could be allotted to all the co-sharers. Such a plea has to be rejected in the light of Full Bench decision of this Court in **Jarnail Singh & Ors. Vs. State of Punjab & Ors., 2011 [1] RCR [Civil], 915**, according to which every co-share is entitled to allotment of separate plot subject to other eligibility conditions. Having held that, the question arises whether the petitioner is entitled to one more plot in lieu of acquisition of land of his father?

[5]. Since such a claim can be accepted only after ascertaining the correct facts regarding [i] how much land of petitioner's father was acquired?; [ii] whether any plot in lieu of that land has already been allotted to his father or not?; [iii] how many legal representatives have been left by the deceased-landowner?, we direct that let the requisite information to the satisfaction of the authorities be obtained/verified and thereafter the petitioner's claim for allotment of one more plot in lieu of acquisition of his father's land, be reconsidered.

[6]. Consequently, the communication dated 02.12.2013 [P-7] is a quashed with a direction to the respondent – Authorities to verify as to [i] how much land of the petitioner's father was acquired?; [ii] whether any allotment has been made in view of the acquired land of the petitioner's father? and [iii] who are the legal representatives of

the deceased – landowner?. If it is found that one more plot deserves to be allotted in lieu of acquired land of late Mehma Singh, the needful shall be done within four months from the date a certified copy of this order is received.

[7]. Disposed of. Dasti.

(**SURYA KANT**)
JUDGE

December 15, 2015.
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(**P.B.BAJANTHRI**)
JUDGE