

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

135

**Civil Writ Petition No.7956 of 2015
Date of Decision:27.04.2015**

Rakesh Kumarpetitioner

Versus

State of Punjab and othersrespondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Vipin Mahajan, Advocate
for the petitioner

ARUN PALLI, J.(ORAL):-

Notice of motion.

Mr.Anshul Gupta, Assistant Advocate General, Punjab, present in the Court, accepts notice on behalf of the respondents. Requisite number of copies of the paper book have been supplied. As regards the nature of order, I propose to pass, no formal written statement on behalf of the State is necessary, at this stage.

A writ in the nature of certiorari is prayed for, to quash the order dated 25.11.2014 (Annexure P6), vide which claim of the petitioner for appointment under the Rehabilitation and Re-settlement Scheme, has been declined, for want of requisite documents. Even earlier, the petitioner along with others, had approached this Court, vide CWP No.24521 of 2013, titled as "Parveen Singh and others vs. State of Punjab and others", and the same was disposed of, with a direction to the respondents to consider the claim of the petitioner.

As a result, the petitioner was asked by Executive Engineer, Personnel Division, Ranjit Sagar Dam, Shahpur Kandi Township, vide letters dated 26.12.2013, 22.08.2014 and 05.09.2014, to furnish the required documents and NOC from the other legal heirs including the residential proof for consideration of his claim under the R/R Policy dated 18.11.1993. However, concededly, the petitioner failed to submit the necessary documents and as a result his claim was rejected. It is maintained that post rejection, vide order dated 25.11.2014, petitioner, vide letter dated 18.02.2015 (Annexure P7) has since submitted the requisite documents, the matter required reconsideration. And particularly when the application dated 18.02.2015 (Annexure P7) moved by the petitioner seeking review of the order dated 25.11.2014 (Annexure P6) is pending consideration of respondent No.3.

Learned counsel for the petitioner submits that, at this stage, let this petition be disposed of, only with a direction to respondent No.3 to reconsider and decide the claim of the petitioner, as set out in his application dated 18.02.2015 (Annexure P7), within a specified time.

Learned State counsel contends that if the petitioner has indeed moved any such application, seeking reconsideration of his claim, the same shall be considered and decided by the competent authority, within a period of three months from today.

That being so, and, without expressing any opinion on merits, the instant petition is disposed of with a direction to respondent No.3 to reconsider and decide the claim of the petitioner,

as set out in the application dated 18.02.2015 (Annexure P7), strictly, in accordance with law, within a period of three months, from the date of receipt of the certified copy of this order. Needless to assert, a comprehensive order shall be passed assigning reasons, in support of the decision arrived at.

27.04.2015

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(ARUN PALLI)
JUDGE