

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

LPA No. 1110 of 2015 (O&M)
DATE OF DECISION : 19.09.2015

Kirpal Singh and others APPELLANTS

Versus

State of Punjab and others RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL
HON'BLE MR. JUSTICE MAHAVIR S. CHAUHAN

Present : Dr. Anmol Rattan Sidhu, Senior Advocate, with
Mr. Rajesh Narang, Advocate, for the appellants.

SATISH KUMAR MITTAL, J. (Oral)

The appellants are the legal representatives of one Smt. Chamel Kaur. They have filed this intra-court appeal under Clause X of the Letters Patent against the order dated 08.02.2013 passed by the learned Single Judge, whereby the writ petition (CWP No. 1981 of 2010) filed by the appellants seeking for allotment of land on account of entitlement of Smt. Chamel Kaur, was disposed of as having been rendered infructuous, because in the affidavit dated 23.04.2012 filed by the Under Secretary, Revenue, Punjab, as well as affidavit dated 07.09.2012 filed by the Financial Commissioner, Revenue, Punjab, it was stated that the appellants being legal representatives of Smt. Chamel Kaur are legally entitled for allotment of land, to which she was entitled, and the Government has already decided to allot them land in village Bhikhowal, Tehsil Dasuya, District Hoshiarpur. Vide the impugned order, the appellants were also granted liberty to avail their remedy, if felt necessary, in accordance with law.

The review application (RA No.CW-88 of 2013) filed by the appellants seeking review of the aforesaid order has also been dismissed by the learned Single Judge vide order dated 12.05.2015.

Against both the said aforesaid orders, the instant appeal has been filed on the ground that some land is available in Kharar, which can be allotted to the appellants.

Though there is delay of 450 days in filing the appeal and the appellants have filed application (CM No. 2332-LPA of 2015) for condoning the said delay, yet we have heard learned counsel for the appellants on merits and have gone through the impugned orders passed by the learned Single Judge.

In the impugned order, while relying upon the latest affidavit dated 07.09.2012 filed by the Financial Commissioner, Revenue, Punjab, it has been categorically observed that no allotable land is available at Kharar, therefore, allotment in Kharar cannot be made to the appellants. Now, this court cannot go into this question of fact. Therefore, we do not find any ground to interfere in the impugned orders passed by the learned Single Judge.

No merit. Dismissed.

(SATISH KUMAR MITTAL)
JUDGE

September 19, 2015
ndj

(MAHAVIR S. CHAUHAN)
JUDGE