

COCN No. 1616 of 2015
Date of decision: 18.01.2016**Deepak**

.....Petitioner

versus**Rajiv Rattan, IAS, Deputy Commissioner, Sonapat**

.....Respondent

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain**Present:** Mr. B.K.Bagri, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

Rakesh Kumar Jain, J.(Oral)

The petitioner had approached this Court by way of writ petition bearing CWP No. 25348 of 2014 alleging that there are seven persons in the village living below the poverty line to whom the plots measuring 100 sq. yards have been allotted twice. The writ petition was disposed of on 11.12.2014 with the direction to the Deputy Commissioner, Sonapat, to depute a senior officer, not below the rank of B.D.P.O., to verify the facts and take necessary action as may be required, after observing the principles of natural justice. The needful shall be done within a period of six months from the date of receiving the certified copy of the order.

After the contempt petition was filed, respondent has filed the reply along with an order passed by the Deputy Commissioner, Sonapat dated 22.09.2015 in which he has averred that seven persons out of fourteen about whom the complaint has been made have been found ineligible, therefore, allotment in their favour has to be cancelled.

It is submitted by counsel for the respondent that though the

allotment has been cancelled but still plots are in their possession and they are raising the construction and once the nature of land is changed, it would be difficult to take the possession back from them.

State counsel, on instructions from Dharambir Singh, Gram Sachiv further submits that the application for cancellation of deed under Section 10-A of the Punjab Village Common Land Act, has been filed of those seven persons whose allotment has been cancelled by the Deputy Commissioner, Sonapat .

Be that as it may, the present petition is hereby disposed of with a further direction to the Deputy Commissioner, Sonapat to ensure that those persons should not raise construction over the plots cancelled by him, so that there may not involve an element of equity later on.

18th January, 2016

Shivani Kaushik

**[Rakesh Kumar Jain]
Judge**