

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

COCF No.2517 of 2016
Date of Decision:-04.10.2016

Major Singh

..... Petitioner

Vs.

Smt. Sheena Aggarwal and another

..... Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: - Mr.Mahir Sood, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J. (ORAL)

This petition is filed for the alleged disobedience of the order dated 1.8.2013 passed by the Division Bench of this Court.

Learned counsel for the petitioner has submitted that the writ petition was filed for quashing of the order dated 24.8.2006 passed by respondent No.2 and for mandamus directing the respondents to deliver the possession of plot No.207 measuring 192 square yards as per form No.20557 to the petitioner being successful in the draw of lots held on 19.6.1995 in the category of 'Sports Quota'. The said writ petition was disposed of with the direction to the Improvement Trust, Bathinda to take decision regarding the entitlement and delivery of possession of the plot to the petitioner within a period of two months.

Learned counsel for the petitioner has further submitted that the respondents have allotted plot No.24, Area 239 sq. yards Scheme 49.5 acres

in Patel Nagar to the petitioner though he was allegedly entitled to plot

No.207 measuring 192 square yards in Bharat Nagar. It is also submitted that the other similarly situated persons have been allotted the plots in Bharat Nagar.

After hearing learned counsel for the petitioner and examining the available record, I am of the considered opinion that no contempt is made out rather the petitioner has to avail the remedy of a writ or otherwise to challenge the decision taken by the Improvement Trust, Bathinda in respect of allotment of plot No.24, Area 239 sq. yards Scheme 49.5 acres in Patel Nagar instead of plot No.207 measuring 192 square yards in Bharat Nagar because direction issued by this Court was only to decide about the entitlement and delivery of possession and the decision has been taken which was not be of the liking of the petitioner.

In view thereof, the present petition is not maintainable. However, the petitioner may, if so advised, avail his other remedies, in accordance with law, to challenge the decision of the Improvement Trust, Bathinda.

04.10.2016

Vivek

(RAKESH KUMAR JAIN)

JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>