

In the High Court of Punjab and Haryana at Chandigarh.

**COCp-684 of 2014 (O&M)
Decided on 14.9.2016**

Hem Raj Gupta

--Petitioner

Vs.

Sh.G.K Singh,Chairman-cum Administrator,Improvement Trust,
Patiala

--Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.R.K.Chopra, Sr.Advocate, with
Mr.Pawan Kumar, Advocate, for the petitioner

Mr.Salil Sagar,Sr.Advocate, with Mr.Sankalp Sagar,Advocate,
for the respondent

Rakesh Kumar Jain,J: (Oral)

This petition is filed for the alleged disobedience of the order dated 18.2.2013 passed by this Court in CWP No. 936 of 2012 in which the following order was passed-

“We allow the writ petition and set aside the impugned order dated 17.8.2011 (Annexure P-14) and direct the Chairman-cum-Administrator of the Improvement Trust, Patiala to reconsider the petitioner's claim for adjustment of plot within the Scheme and/or for allotment of an alternative plot”.

Learned counsel for the petitioner has submitted that vide

order dated 12.2.2014, case of the petitioner has been rejected by the Chairman, Improvement Trust, Patiala, and hence the present petition has been filed.

The case of the petitioner is that his 400 square yards plot was acquired under the development scheme known as 'Shaheed Sewa Singh Thikriwala Nagar'. The petitioner is a Local Displaced Person and was entitled to be reconsidered either for adjustment of plot within the scheme and /or for allotment of an alternative plot in case his plot was not to be adjusted. It is further submitted that vide the impugned order dated 12.2.2014, the respondent has deliberately and intentionally flouted the order passed by this Court in the aforesaid manner.

On the other hand, learned counsel for the respondents has submitted that only direction issued by this Court was to reconsider the petitioner's case for the purpose of adjustment of plot and/or for allotment of an alternative plot which has been duly considered by the competent authority and order was passed against him. It is further submitted that in case, that order is not to the liking of the petitioner, he may challenge the same, but insofar as the present petition is concerned, the order passed by this Court has been duly complied with.

After hearing learned counsel for the parties and examining the available record, I am of the considered view that there is no error in the order passed by the respondents.

The only direction of the Court was to reconsider the case of the petitioner either for adjustment of plot within the Scheme and/ or for allotment of an alternative plot which has been duly considered by the respondents and it has been found that the petitioner is not entitled for the

allotment of the plot for the reasons given in the impugned order dated 12.2.2014. Hence, this petition is dismissed. However, the petitioner may, if so advised, challenge the correctness of the order dated 12.2.2014 in accordance with law.

14.9.2016
rr

(Rakesh Kumar Jain)
Judge

Whether Speaking/Reasoned: **Yes/No.**

Whether Reportable: **Yes/No**