

Civil Writ Petition No. 4965 of 2004

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

Civil Writ Petition No. 4965 of 2004

Date of Decision: 27.10.2016

Ram Jeewan

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : None for the petitioner.

Mr. R.K. Doon, AAG, Haryana.

RAMESHWAR SINGH MALIK J. (ORAL)

Learned counsel for the State, at the very outset, points out that instant writ petition is squarely covered by the order dated 22.11.2010 passed by a Division Bench of this Court in **CWP No. 2272 of 2003 (Dalmer Singh Vs. State of Haryana and others)**. He submits that the said writ petition was dismissed and learned counsel for the petitioner, in the present case, also appeared on behalf of some of the petitioners therein. He seeks dismissal of the writ petition.

In addition to the above statement made learned counsel for the State, learned counsel for the petitioner, on 10.3.2005 before a Division Bench of this Court, stated that let present petition be heard after the decision of CWP No. 2912 of 2003 and on his request, case was adjourned sine die. It was ordered to be listed after the decision of the aforesaid

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petition. It is also a matter of record that CWP No. 2912 of 2003 was dismissed alongwith CWP No. 2272 of 2003.

Operative part of the order dated 22.11.2010 passed in **Dalmer Singh's case** (supra), reads as under:-

“In view of facts, mentioned above, we are of the opinion that the policy dated November 1, 2001, (P-3) is against the public interest and violates the principle of rule of law. Further it also violates equality before law and protection of law as enshrined under Article 14 of the Constitution of India. As such it cannot be sustained.

In the written-statement it has been mentioned that many cases were finally decided in terms of this policy. We direct that from those occupants, full amount of market price be realised and no concession be given to them. Their allotment be kept intact. So far as future allotment is concerned, that was stayed by this Court vide order dated February 11, 2003.

In view of findings given above, no relief can be given to the petitioners. Consequently, Civil Writ petitions No. 2272 of 2003, 472 of 2003, 8968 of 2003, 2912 of 2003, 17866 of 1999, 3364 of 2002, 9179 of 2002 and 8671 of 2008 are dismissed.

C.W.P. No. 13012 of 2006 is, however, partly allowed. Policy dated November 1, 2001 (P-3) is quashed, however, without giving any further benefit to the petitioners.

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The State Government is directed to initiate proceedings against the unauthorised occupants to retrieve the public property and thereafter, if need be, it be sold either in public auction or otherwise as per law.”

The abovesaid statement seems to be the reason that nobody is coming forward on behalf of the petitioner to press this petition. Be that as it may, nothing is left to be decided in the instant writ petition, because the same has been found squarely covered against the petitioner by the order dated **22.11.2010 in Dalmer Singh's case** (supra).

Resultantly, present writ petition is dismissed, however, with no order as to costs.

(RAMESHWAR SINGH MALIK)
JUDGE

27.10.2016
Ak Sharma

Whether speaking/reasoned Yes/No
Whether reportable: Yes/No