

Sr. No.202

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

CWP-20115-2010(O&M)

Date of Decision: 03.11.2016

Param Pal and others

.....Petitioners

VS.

State of Punjab and others

....Respondents

CORAM HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present:- Ms. Neha Jain, Advocate for the petitioners.
Ms. Monika Chhibber Sharma, DAG, Punjab.

-.-

RAMESHWAR SINGH MALIK, J

When the case came up for hearing on 22.08.2016, following order was passed by this Court:

“ *Learned counsel for the petitioners refers to an order dated 03.03.1982 (Annexure P-2) passed by this Court in Civil Writ Petition No.1135 of 1973 (Swaran Chand and others Vs. Deputy Commissioner-cum-Custodian, Hoshiarpur and others), to contend that thereafter numerous policy instructions were issued by the State Government, but claim of the petitioners was never considered. He further submits that the limited prayer made by the petitioners, by way of present writ petition, is that let competent authority consider and decide their claim for allotment of land on which they are in cultivating possession for the last about 30 years. It is also not in dispute that the Deputy Commissioner, Hoshiarpur is the competent authority to do the needful.*

In view of above, Deputy Commissioner, Hoshiarpur respondent No.2 is directed to look into the matter, consider the claim of the petitioners and decide the same at an early

date, by passing an appropriate order, strictly in accordance with law, but in any case within a period of 6 weeks from the date of receipt of copy of this order. Thereafter, he shall file his own affidavit along with action taken report on or before the next date of hearing.

List on 3.11.2016.

A copy of this order, under the signatures of Special Secretary attached to this Bench, be given dasti to the learned counsel for the State for onward transmission to the Deputy Commissioner, Hoshiarpur, for strict compliance thereof.

In compliance of the above said order, affidavit dated 21.10.2016 of Deputy Commissioner -cum- Collector Hoshiarpur as respondent no.2 along with a detailed order dated 30.09.2016, filed in the Court today is taken on record and a copy thereof has been supplied to the learned counsel for the petitioners.

After going through the order dated 30.09.2016 'Annexure R1' attached with the affidavit filed today, present writ petition does not survive because nothing is left to be decided at the hands of this Court. However, liberty is granted to the petitioners to challenge the order dated 30.09.2016 passed by Deputy Commissioner, Hoshiarpur before the appropriate forum, in accordance with law.

With the above said observations made, present writ petition stands disposed of.

(RAMESHWAR SINGH MALIK)
JUDGE

November 03, 2016
mamta

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No