

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.11914 of 2016

Date of Decision: June 03, 2016

Rajesh Kumar

....Petitioner

versus

State of Haryana and others

.....Respondents

**CORAM:HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE A.B.CHAUDHARI.**

Present: Mr.S.P.Chahar, Advocate, for the petitioner.
Ms.Kirti Singh, Deputy Advocate General, Haryana.

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1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Surya Kant, J. (Oral)

Notice of motion to respondent Nos.1 to 3 only at this stage.

On our asking, Ms.Kirti Singh, learned Deputy Advocate General, Haryana, accepts notice on their behalf.

Let three copies of the writ petition be supplied to the State counsel during the course of day failing which this order shall be automatically recalled and the writ petition shall be deemed to have been dismissed for non-prosecution.

In view of the nature of order which we propose to pass, it is not necessary to seek any counter-reply from respondent Nos.1 to 3 or to serve respondent No.4 at this stage as no order on merits prejudicial to its interest is being passed.

The petitioner is a resident of village Sisana-2, Tehsil Kharkhoda, District Sonapat. He claims himself to be living Below the Poverty Line (BPL) to whom the Gram Panchayat decided to allot plots of 100 square yards. The grievance is that though the petitioner is fully eligible for such allotments under the 'Mahatma Gandhi Gramin Basti Yojna' which the State Government decided to implement vide Policy memo dated 01.02.2008 (P-1) but the respondents are not considering his claim for no valid reason. It is further alleged that the respondents have allotted plots to ineligible persons who are not entitled to such allotment. It appears from the averments that an exercise to identify the eligible persons was undertaken and the petitioner was included in such list but no follow up action was taken by the Deputy Commissioner, Sonapat or the Gram Panchayat. The petitioner has also represented the respondent-authorities vide representation dated 22.07.2015 (P-2) followed by a legal notice dated 20.08.2015 (P-3). But finding no response thereto, the instant writ petition has been filed.

Having heard his learned counsel and taking into consideration the fact that the petitioner has placed reliance on a Government Policy which, according to him, has not been given effect, we dispose of this writ petition, without expressing any views on the merits, with a direction to respondent nos.2 and 3 to verify the claim of the petitioner as contained in this petition and take an appropriate decision in accordance with law, within a period of four months from the date of receiving a certified copy of

this order.

Ordered accordingly.

Dasti.

**[SURYA KANT]
JUDGE**

June 03, 2016
mohinder

**[A.B.CHAUDHARI]
JUDGE**