

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.12058 of 2016

Date of decision: June 03, 2016.

Jagbir and others

... **Petitioners**

v.

State of Haryana and others

... **Respondents**

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

Present: Shri Manoj Kumar Sood, Advocate, for the petitioners.

1. *Whether Reporters of local papers may be allowed to see the judgment ?*
2. *Whether 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 respondents No.1 to 3 only at this stage.

Ms. Kirti Singh, Deputy Advocate General, Haryana accepts notice on their behalf.

No notice is being issued to the other respondents as no order prejudicial to their interests is being passed.

The petitioners are the residents of village Mandkol, Tehsil and District Palwal. They allege that 100 square yard plots, to be allotted to the families living below poverty line in terms of the 'Mahatma Gandhi Gramin Basti Yojna', have been allotted to the private respondents, even though they are totally ineligible. Various grounds, like encroachment of shamilat land, multiple allotments to members of one family, etc. have been taken by the petitioners.

Since all such factual issues might require a fact finding

enquiry and the respondent authorities can effectively adjudicate the same in accordance with the principles of natural justice, we relegate the matter to the authorities for needful.

The writ petition is accordingly disposed of with a direction to respondent No.2 to depute an officer to hold a fact finding inquiry and to take further necessary follow up action, as may be required. However, no order prejudicial to the interest of private respondents shall be passed without following the principles of *audi alteram partem*.

The needful shall be done within a period of four months.

[Surya Kant]
Judge

[A.B. Chaudhari]
Judge

June 03, 2016.
kadyan