

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

**Civil Writ Petition No.15611 of 2016
Date of Decision: 04.08.2016**

Surmo Deen

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. R.S.Manhas, Advocate for the petitioner.

JASWANT SINGH, J. (Oral)

Petitioner-Surmo Deen s/o Mohammad Sharif has invoked the writ jurisdiction of this Court under Article 226 of the Constitution of India assailing the speaking order dated 02.12.2014 (**Annexure P-10**), whereby his claim for employment on account of their land having been acquired for construction of Ranjit Sagar Dam, in terms of the Policy dated 18.11.1993 (**Annexure P-2**) has been declined, *inter alia*, on the ground that one of the family members of the landowner-Sh. Kago has already been granted the said benefit in terms of the policy.

Learned Counsel for the petitioner has argued that it was the land of the petitioner's father i.e. Mohammad Sharif, which was acquired to the extent of 11 Kanal and 03 Marlas including his house for construction of the Dam. The exact year, however, he is not able to state. He thus submits that the basis for declining the relief is not correct as his grandfather-Sh. Kago was not the recorded owner at the relevant time.

After hearing learned Counsel for the petitioner, no case for interference is made out.

No material has been placed on record, which would pinpoint the date of the acquisition of the aforesaid land, as also who was the recorded owner on the said date. Even the date of the death of Sh. Kago i.e. grandfather of the petitioner has not been brought on record. Even otherwise, these relevant facts were to be produced with proof before the authority, who has decided the claim pursuant to the directions passed by this Court. That apart, there is a delay of 01 year and 08 months in challenging the order.

In view of the above, this Court is not inclined to invoke the writ jurisdiction of this Court in the light of disputed questions of facts raised and thus involved and also delay and laches.

In view of the above, the present petition stands dismissed.

August 04, 2016
Gagan

(JASWANT SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>No</i>